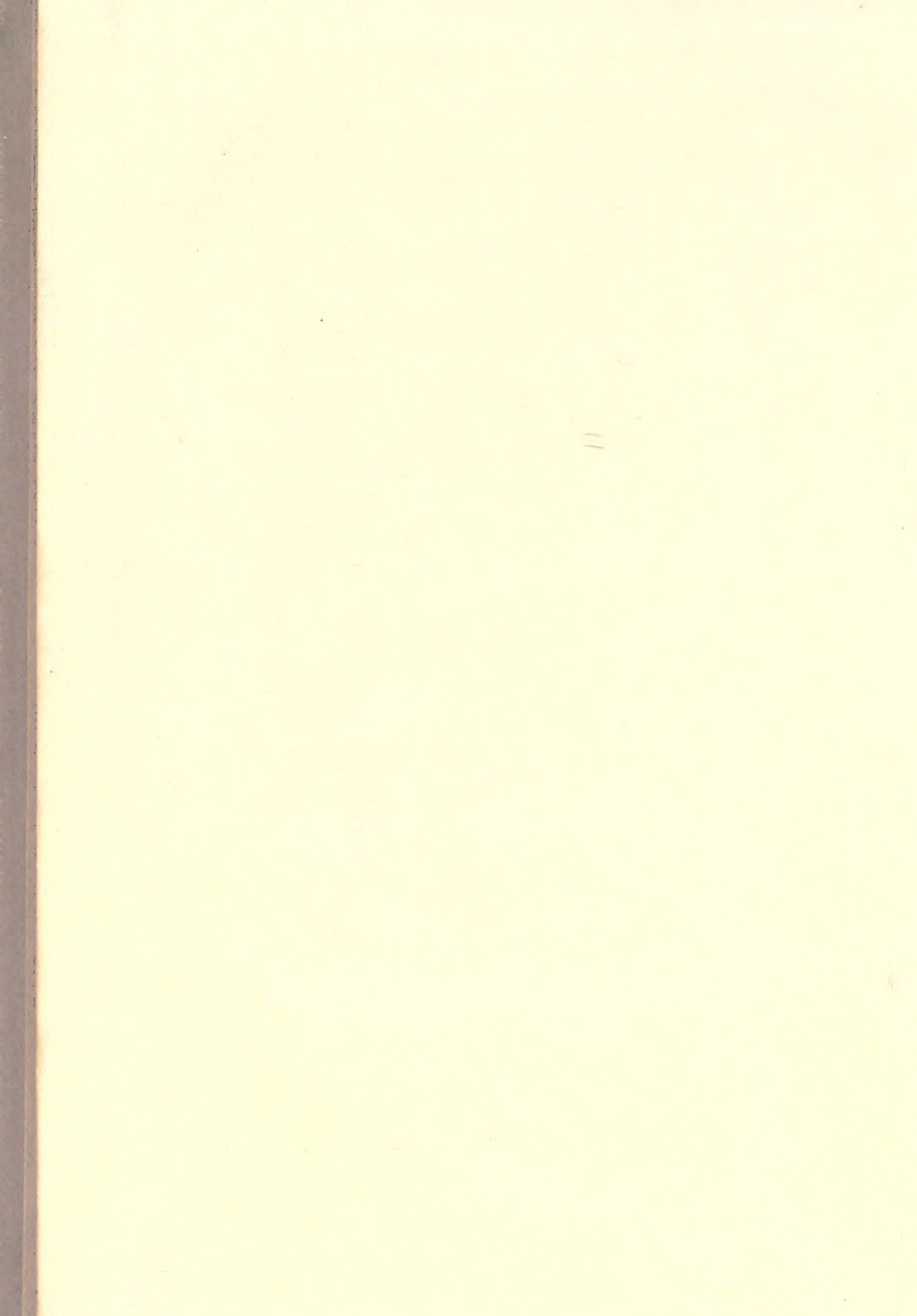




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2208
LETTERS, MEMOIRS,
Parliamentary Affairs,
STATE PAPERS, &c..
With some Curious Pieces
In LAW and PHILOSOPHY.

Publiſh'd from the
ORIGINALS of the Lord Chancellor BACON,
By ROBERT STEPHENS, Eſq;
Late HISTORIOGRAPHER ROYAL.

WITH
An Account of the LIFE of Lord BACON.



L O N D O N :
Printed for OLIVE PAYNE, at *Horace's Head* in Round Court,
opposite *York Buildings* in the Strand;
And ſold by JOHN BRINDLEY at the *King's Arms* in
New Bondſtreet. 1736.

STATE PAPERS

Relating to Affairs

STATE PAPERS

With the

in Law and Equity

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TO THE

KING.

S I R,

MAY Your Majesty be pleased to accept these remains of a noble Author, as they were collected by the care of Your late Historiographer; from one, who esteems it her duty to
 a offer

DEDICATION.

offer them, as he first intended;
a publick testimony of his gra-
titude for the honour he enjoyed
under Your Most Sacred Majesty.

I am,

May it please Your Majesty,

Your Majesty's

most humble,

and most obedient

Subject, and Servant,

MARY STEPHENS.

P R E F A C E.

HAVING many years past transcribed from the originals, several Letters and Memoires of the Lord Bacon, which had never been made publick; and disposed them with others, in a series of time: I then engaged my self to make a supplement thereto, if I might be obliged with other of his Lordship's genuine writings. And to that end, a Gentleman long since deceased, gave me the opportunity of copying some other of his Lordship's letters, which had been a part of the former collection: But not having a sufficient number, and being soon concerned in affairs of another nature, I laid aside all thoughts of troubling my self or others in the same kind, till the Right Honourable the Earl of Oxford was pleased to put into my hands, some neglected manuscripts and loose papers, to see whether any of the Lord Bacon's compositions lay concealed there, that were fit to be published. Upon the perusal, I found some of them written, and others amended with his Lordship's own hand, and believed that all of them had been in the possession of Dr. Rawley, his Lordship's Chaplain, and faithful Editor of many of his Works. I found, that several of the Treatises had been published by him, and that others, certainly genuine, which had not, were fit to be transcribed, and so preserved, if not divulged.

About the same time, a learned and eminent Gentleman in his profession had employed a reverend Divine to

reduce all the Lord Bacon's works into just Volumes, and print them; as was proposed, in a correct and beautiful manner; and some of them were actually in the Press. My chief concern then was, that the original Letters, which I had published with care, might not be printed without my approbation; and that the Introduction to, and Observations on them, might be either suppressed, or very much abridged, as improper and unworthy to appear in those Volumes: though in that manual of Letters they obtained more pardon from others than from my self. But I soon perceived that the design of the Publisher was to procure his own profit, by encreasing the number of the sheets; rather than the honour of the Author, by retrenching what might be spurious, or not fit for publick view. And this I presume will appear, by that Rhapsody with which he has swelled the first Volume, under the title of Collections relating to his Lordship's Life, and the Account of his Works; which takes up above two hundred pages in Folio.

What else could induce him to insert therein several Letters from Sir Amias Powlet, the Queen's Ambassador in France, which fills eleven pages: since all that concerns Mr. Bacon is, that in two or three of them Sir Amias told the Lord Keeper, that his son was in good health?

Was there any reason for re-printing the Earl of Essex's Apology, written in vindication of his opinion given to the Queen for continuing the war against Spain, which takes up nineteen pages of those Collections? The reason he offers, will hardly be allowed: That, having printed in the fourth volume the Declaration of the Earl of Essex's treason, committed in 1600, he was willing the Apology of 1598, should be printed, that the defence might go along with the charge. But, admitting there had been any relation between these two writings, what occasion was there to publish the many long Memorials, Affidavits, and Confessions; in drawing of which it may be presumed Mr. Bacon had no hand, though they were annexed to that
large

large Declaration in which he says he had some part: All which, having been printed in its proper time, seems now as improperly thrust in amongst his Lordship's Letters, and comprehended in no less than five sheets? Was there any reason for him to print at large the Trial of Mr. Wreynham in the Star-Chamber, for presenting a scandalous petition to the King, against the Lord Chancellor Bacon, which takes up twenty two pages? Whereas the substance might have been related in as few lines, and the whole had been printed not long before.

Would any one, that had consulted the reputation of the Lord Bacon, or indeed his own, have published several Apophthegms under his Lordship's Name, which he himself, as well as Doctor Tenison, allowed to be scandalous and spurious? Those which his Lordship compiled as an amusement, during his indisposition in the year 1625, were printed in the same year, amounting to the number of two hundred and eighty: And were not reprinted by Doctor Rawley in the first edition of the Resuscitatio in 1657: but, upon the re-publishing that work, with a dedication to King Charles the second, the Bookseller contrived to insert them with some alteration and additions; which, instead of increasing, diminished the value of the whole.

Was it for his Lordship's honour, or any service to mankind, to publish his Will, and the Composition his Administrators made with his Creditors three years after his death; by making his Lordship as bad a computer of his estate a little before his death, as he had been a collector and preserver of money in the former part of his life?

Whether it were adviseable for him to print at large Dr. Tenison's account of the Lord Bacon's works in the manner he hath done, and some fragments and remains, scarce worthy to have appeared in the body of his works, I shall leave others to judge. I am sure neither he, nor his Bookseller, had any title to the original Letters and Notes
which

which I had published; and as to the Introduction, it is so disjointed and mangled, that I may well disown it.

The Publisher has represented the care and pains he took in the methodising and improving his Lordship's Letters, so that it was a new work. Whereas all the Letters to King James, the Duke of Buckingham, and other persons of quality, were marshalled to his hands. It is true, those written in Queen Elizabeth's time, and published by Doctor Rawley, were transposed, but perhaps not much to the advantage of the Reader; and his addition of six or seven Letters to Mr. Toby Matthews, being of a private nature and doubtful authority, is not very considerable. Whether the inserting Sir Francis Bacon's Discourse of the Intellectual Powers amongst the Letters, be any improvement of them, he himself is doubtful; but then he is assured he has made honourable amends for that, by correcting Dr. Rawley's edition of it, and also the Letter inclosing it to Sir Henry Saville: For that Letter concludes, And so I commend you to God's protection; which the Corrector makes, And so I recommend you. And whereas in the Discourse, Volume IV. page 586. Doctor Rawley has printed the word (than), the Corrector makes it (then); but to make sense in either, the word ought to be (that). Other variations or amendments I can find none. But I may have played the Critick too much my self, and now I shall give some account of my own undertaking, that he and others may, if they please, criticise upon me.

As to my part in the present edition, I have endeavoured to make this collection of Letters to the King and the Earl of Buckingham, soon after he became a favourite, as perfect as I could, (though it be not so perfect as I wished and hoped for) by adding not only several of his Lordship's Letters, but by inserting many of the Lord Buckingham's Answers thereto, writ with or signed by his own hand, the originals of which are preserved in the Earl of Oxford's Library. And I have delayed the publica-

lication in hopes of obtaining some other of the Lord Bacon's Letters, or his Register of them (a Transcript of which he bequeathed to the Bishop of Lincoln and Sir Humphrey May) being well assured from a Catalogue I have seen, that several Latin and French, as well as English Letters, are yet wanting.

I have concluded the whole with some genuine Tracts and Fragments of the Lord Bacon's composing, and considering the condition they have long been in, and yet are in, it is more to be admired, that they have been so long preserved in private hands, than that they are now made publick. But before the Reader enters into the particulars, I have endeavoured to give him a view of his Lordship's Life, which may serve as a supplement to that written by Doctor Rawley, wherein he declines making any relation of his Lordship's censure in Parliament, and of his behaviour during his retirement, other than of his writings. All which are now fit to be known, to the end that justice may be done his memory; who, notwithstanding his defects was a great ornament of and to learning, and to the age and nation in which he lived.

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A N
 ACCOUNT
 OF THE
 LIFE
 OF THE
 LORD *BACON*.

WHEN the Princess *Elizabeth* ascended the Throne of *England*, from a retired, if not a restrained condition of life; it was a great part of her felicity, that she selected such a Council, as though divided in their religions, did conduct her through the difficulties, with which the beginning of her reign was involved. But the two persons on whose judgment she chiefly relied, were united in principles, in interest, and affinity: the one, Sir *William Cecil*, created afterwards Lord *Burghley*, her Prime Minister,

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An Account of the

nister, for the greatest part of her long reign; the other Sir *Nicholas Bacon*, for about twenty years Lord Keeper of the Great Seal, who, by his second wife, one of the learned daughters of Sir *Anthony Cooke*, Preceptor to King *Edward VI*, had two sons, *Anthony* and *Francis*; the last of which persons is the subject of the following discourse.

Francis was born on the 22^d day of *January* 1562, at *Yorke-House* in the *Strand*, where his father then resided (as the son did afterwards, when he was Lord Chancellor) and upon his ingenious answers, when a boy, to the Queen's questions, she did in a manner point out his future preferment, by often calling him her young Lord Keeper. Sir *Nicholas*, to cultivate his son's pregnant parts, committed him, while very young, together with his elder brother, to the tuition of Dr. *Whitgift*, then Master of *Trinity-College* in *Cambridge*, afterwards the most reverend and learned Archbishop of *Canterbury*: where he began to be dissatisfied with the Logic and Philosophy then taught in the Schools. And before he had compleated the sixteenth year of his age, he was sent into *France*, under the care of Sir *Amias Paulet*, the Queen's Ambassador there, and by him he was occasionally dispatched to her Majesty, in services which he performed to her satisfaction. But his father dying in the year 1579, before he had made the provision he intended for this his youngest son, he returned into *England*, and entered upon the study of the Common Law, though he courted the Sciences, as the mistress of his affection. In that profession he soon became eminent, the Queen making him her Counsel extraordinary in the

28th year of his age, an honour conferred on few or none before him: and to her he dedicated his *Maxims* and *Elements* of the Common Law, in the year 1596, though they were not printed till some years after his death, and that incorrectly; but not so ill, as his *Reading* upon the Statute of Uses in *Grey's-Inne*, which he performed with honour to himself and profit to his hearers, having been one of the first that argued that difficult case of *Uses*, called *Chudleigh's case*, which is reported by Sir *Edward Coke*.

But the greatest figure he made in the last ten years of the Queen's reign, was in the House of Commons: and then it is conceived he applied himself to Politicks, so that the Queen and Lord Treasurer *Burghley*, employed his head and hand in affairs of State. He himself observing, that in the business which passed the hands of the Queen's learned Counsel, either of State or Revenue for many years, he was constantly employed. On two such persons he might reasonably depend for advancement in place or profit: so that it may be presumed it was out of respect, and affection to the person of the Earl of *Effex*, that he studied, as he writ, his fortunes and services: and had that Lord as well regarded the counsel, as he rewarded the giver, and for some time esteemed Mr. *Bacon*, he might have avoided the unhappy fate, into which he was hurried by the advice of violent and precipitate persons, for he was a young nobleman of great ingenuity and candour, as well as courage.

But the Earl, before his insurrection, having discontinued his friendship and acquaintance, Mr. *Bacon* thought himself obliged to espouse the cause of his Queen and

Countrey, so far as not to decline the service, which his Mistress and her Ministers thought fit to lay upon him.

The part he acted against the Earl at his trial, occasioned some reflections upon his conduct, and the writing of his *Apology* afterwards, which he dedicated to the Earl of *Devonshire* his Lordship's great friend; and therein declares, that he was true to the Earl of *Essex*, *usque ad aras*, and that he had on all occasions endeavoured to pacify the Queen's displeasure against him, though her commands and his duty obliged him to appear against his Lordship at the Bar. But the *Declaration* of the Earl's *Treasons*, published soon after his death, though drawn up by Mr. *Bacon*, was imposed on him, and much altered by the Privy Council. The account he drew up for the Queen's perusal, and by her command, of what passed at the assembly at the Lord Keeper's house, on the 5th of *June* 1600, where the Earl was charged for leaving the command of the army in *Ireland* in 1599, much to the Queen's and the Nation's prejudice, and contrary to her expectation, was shewn to very few others; and if the latter part of that imperfect narration could be obtained, it would have discovered, as Mr. *Bacon* says in his *Apology*, his endeavours to serve the Earl in that discourse, and on that occasion.

Before that time, the Earl had in vain addressed the Queen to make Mr. *Bacon* her Solicitor general. Nor doth it appear, that she had rewarded his services, otherwise than by her gracious acceptance of them; yet did he not forget, upon all occasions, to applaud the wisdom of her government, and he composed a little Treatise in Latin, intitled, *In felicem memoriam Eli-*

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zabethæ Angliæ reginæ, containing a short account of the felicities of her reign, which he sent into *France* to Monsieur de *Thou*, who was then compiling some part of his celebrated History; and many years after, the Lord *Bacon* desired, in one of his Wills, that it might be printed, which was done long after his Lordship's death; and an early copy of it, in my Lord's own *English*, is printed in this Volume.

It is asserted by Monsieur *Rapin de Thoyras*, that King *James* looked upon the Earl of *Essex* as his Martyr, and that when he came into *England*, it was thought his Enemies would have been made sensible of his Majesty's displeasure; but Sir *Robert Cecil*, who was esteemed one of the greatest, had by a dextrous and private correspondence towards the end of the Queen's reign, merited so much of that King, that he was soon admitted into his greatest trust and favour. And whatsoever application the Earl might have made to that Court, the King sent an Ambassador to congratulate the Queen on her suppressing his Insurrection. Nor is it probable, that the Earl intended to dethrone the Queen, in order to set up the King of *Scotland* in her stead. If Mr. *Bacon* were looked upon as one of the Earl's adversaries, he feared so little the King's censure of him upon that account, that upon her Majesty's death, he wrote with great assurance to him and his Ministers then in *Scotland*; and afterwards, upon the King's arrival at *Whitehall*, he was knighted, among others of his profession: Cardinal *d'Ossat* observing upon this occasion, that it is usual for well-advised Princes, who are called to a new estate, to enter with great gentleness and lenity.

His Majesty continued Sir *Francis Bacon* in the same employment his predecessor had given to him; and as his abilities had appeared in Council, in Parliament, and in his profession, and especially in the Speeches he had made in the House of Commons, and the Treatises he wrote in favour of the *Union* of the two Kingdoms of *England* and *Scotland*, which the King so passionately desired; he had reason to expect, that his suit for the place of the King's *Solicitor* would have been granted: but it is thought, his preferment was obstructed by the jealousy of his Cousin-German Sir *Robert Cecil*, and Sir *Edward Coke*, the Attorney General.

About the same time he recommended himself to the King, and other learned persons, by his Book of the *Advancement of Learning*, which he published in *English* in 1605, and dedicated to his Majesty, as the most learned King that time had known; which after his retirement from publick business he very much enlarged in the second Book, dividing it into eight, and put the whole into *Latin*, as the first part of his *Instauratio magna Scientiarum*. But I shall not now give any farther account of this, or indeed of any other of his works, unless it may conduce to the illustrating of his Life: the design of his *philosophical* writings, having been delineated by his own hand; and as to his *historical*, *political* and *juridical* works, which were published by Dr. *Rawley*, they are well known and received. The Fragments which have been sent abroad, some genuine, and others spurious, need not to be mentioned, otherwise than to vindicate his Lordship's honour.

In 1607, when Sir *Henry Hobart* was made Attorney General, Sir *Francis Bacon* was gratified in his desire of being appointed Solicitor; and then he appeared more frequently in the Courts at *Westminster*, and especially in great causes: and that the young Gentlemen of the Law might see his method of arguing cases at length, as they had of reporting the case and reasons of the judgments, by the Lord *Coke*; he caused four or five of his arguments to be transcribed, and presented to the Society of *Grey's-Inne*, of which his father had been, and he was then a Member, which are lately printed from the original Manuscripts.

In the year 1612, he succeeded Sir *Henry Hobart* as Attorney General, and after he had some years enjoyed that beneficial place, he was sworn of the King's Privy Council, a trust rarely conferred either before, or since, on Gentlemen in that office. Upon which occasion he tells the King, that being exempted from dealing in causes between party and party, he thought himself obliged to dedicate his leisure time to his Majesty's service, and particularly to the reducing and recompiling of the *Laws of England*, with proper assistance of others; and in this thought he persisted when he had greater leisure, by offering to the King a specimen of a *Digest* of the same Laws, printed by Dr. *Rawley*.

He continued the King's Attorney about four years, and discharged the place with great sufficiency in the management of several weighty causes; when his Majesty, upon the recommendation of his aged but worthy Chancellor, the Lord *Ellesmere*, and by the mediation of
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the Earl of *Buckingham*, as well as to reward Sir *Francis Bacon*'s merits and services, committed to his custody the Great Seal, on the 7th of *March* 1614. The same day, the Lord Keeper writ a letter of thanks to the Earl of *Buckingham*, which is now first published from the original; and though written in a hasty manner, discovers the beauty of his stile, as well as his grateful sense of his Lordship's good offices.

In the same month the King began his journey to *Scotland*, carrying his young favourite with him; who by his Majesty's direction kept a constant correspondence with the Lord Keeper; returning, in several letters, the King's thanks to his Lordship for the care he took of his affairs in his absence; particularly, for the Speech he made, the 8th of *May* 1617, upon taking his place in the *Court of Chancery*; which letter, is also inserted in this collection.

But his Lordship did not confine his talents to the *Court of Chancery*; but endeavoured to serve the King as a Statesman, and as himself writes, a *Financier*; and the Lord of *Buckingham*, as a friend and counsellor: to which end, he had before presented him with a compleat body of *Instructions* for his Lordship's behaviour, both towards the King and his People; and continued his advices to the time of his own fall, as will appear by the letters now, and formerly published: which, if they had been seen by the Lord Chancellor *Clarendon*; he would not, it is presumed, have so positively affirmed in his excellent *History*, That the Duke of *Buckingham*'s misfortune was, *That he never made a noble and worthy friendship, so*
near

near his equal, as would frankly advise him for his honour, or true interest; so that if he had been blessed with one faithful friend, qualified with wisdom and integrity, that great person would have committed as few faults, and done as transcendent worthy actions, as any man that shone in such a sphere.

And it may be also presumed, that the advices he received from time to time from the Lord *Bacon*, as well as from the *King*, who was both willing and able to give them, might restrain that young Nobleman from some excesses which the vigor of his parts and person, as well as the indulgence of the age and times, might prompt him to commit.

Yet it cannot be denied, but that there was one part of the Lord Keeper's advice, though represented to the King and the Earl, with all the reasons and arguments his elegant pen could express, so far from being well received, that it was ill resented. It concerned indeed a tender subject, the obstructing of Sir *John Villiers* his match with a beautiful young Lady, daughter of Sir *Edward Coke* by the Lady *Hatton*, who having been lately Chief Justice of the *King's Bench*, but then in disgrace, did hope thereby to recover the King's favour. An account of this is given in the Introduction to the Letters and Memoirs published in the year 1702, and in these Letters, where it will appear, that the passion of the lovers, and the fortune of the young Lady, had too much weight not to prevail; and drew down the displeasure of the King, as well as the favourite, upon the Lord Keeper to that degree, that upon their return out of *Scotland*, his Lordship and some other of the Council were reprimanded,

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manded, and he at last preserved by the Earl's intercession, upon which he writ him a remarkable Letter of thanks, which was first printed in the aforesaid Collection N^o 104, and is reprinted in this.

From this time, the Lord Keeper so intended the King's service, that he rose in favour and honours; his Majesty making him Lord High Chancellor of *England*, creating him Baron of *Verulam*, once a *Roman* Town, near his Seat of *Gorbambury*, and a little before the session of the next Parliament in *January* 1627, Viscount of *St. Albans*.

Whilst he presided in the Court of *Chancery*, and in the *Star-Chamber*, a Court eminent in those days for punishing great offenders, there were some considerable Causes brought to a hearing by the King's Attorney general, and one against the Attorney himself; of which a pretty large account is given in the aforesaid Introduction, in the Notes, and some account in the following Letters, and that they may be the better understood, it may not be improper to mention them briefly in this place.

The first cause arose upon an information exhibited in the year 1618, against Sir *Thomas Lake*, one of the King's Secretaries of State, his Lady, son, and daughter the Lady *Roos*, for being concerned in notoriously defaming the Lady *Exeter*, for which they were severely fined to the King, with damages to the Lady, and Imprisonment in the *Tower*. Sir *Thomas*, whom the King and others thought to be the least guilty, submitted himself to his Majesty, who pitied his misfortunes, and gave a great character of his abilities, but never admitted him into any place of trust or profit.

In the same year, the Lord Treasurer *Suffolk* was discharged from his office, and in the next his Lordship, his Lady, and Sir *John Bingley* were censured for taking of bribes, and defrauding his Majesty: but upon the Earl's submission, the fine of thirty thousand pounds was reduced to seven thousand.

But that which most pleased the King and his Ministers, was the discovery which was made in the year 1618, of the exportation of vast quantities of *Gold* and *Silver*, which had been made for some years, by a great number of *Dutch* Merchants. Upon the confession of some of them, they were prosecuted, *ore tenus*, and others by *Information*, and all of them convicted, and very considerable fines imposed on the greatest offenders, but much reduced by the mediation of the *Dutch* Ambassador and the *States*. And in the prosecution of this cause, which was of moment and difficulty, the Chancellor's care and diligence appeared, and were much commended by the King.

Sir *Henry Yelverton*, the King's *Attorney General*, was in *June* 1620, sequestred from his place, for passing some clauses in a late Charter granted to the City of *London*, not agreeable to his Majesty's Warrant, and derogatory, as was said, to his honour and profit. He was acquitted of all corruption, but condemned and fined (though the Charter was given up) for credulity or neglect: After his release from the *Tower*, he became a practitioner again at the Bar, and in 1625, was preferred to be a Judge; dying in *January* 1629. A cotemporary Lawyer gave him this character, " That he was a Man of

“ nious and eloquent in expreffion; for his life, of great
 “ integrity and piety, and at his death univerfally be-
 “ wailed.

The next caufe to be here mentioned, concerned the Chancellor himfelf; occafioned by a libellous petition to the King, written by one Mr. *Wrenham*, againft whom the Chancellor had made a decree: in which libel, the Chief Juftice *Hobart*, in his *Reports*, faith, that he had done his Lordfhip much and great wrong; and of that opinion were all the other Lords.

The proceedings of the court, in this caufe, were fairly written, and prefented to the Chancellor, and copies have been taken of it, and lately printed. It had been happy for his Lordfhip, if he could have as well defended himfelf from future accusations of the fame kind, in a fuperiour court, the fucceeding Parliament.

In thofe affemblies, his Lordfhip had appeared with luftre; to the convening of them he had frequently advifed the King, as *cardo rerum*, & *fumma summarum*; as the fovereign remedy for his Majesty’s neceffities, and the nation’s grievances.

But at this time, the voice of the people, as well as occafions of the King and his family, called loudly for a Parliament: his Majesty’s fon-in-law, the Ele&tor *Palatine* of the *Rhine*, by his accepting the Crown of *Bohemia*, was divested not only of that, but of his own Principality and territories. So that the King, though he never approved of the Prince’s election, yet he thought himfelf obliged to fee that Palatinate reftored to the Prince, the Princefs, and their children. The Chancellor prepared the draught of a Proclamation for calling a Parliament,

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setting forth at large (in fine and eloquent terms) the occasion of convening them at that time: but the King thought too many of the reasons were divulged, which should rather be reserved till the opening of the Session; and therefore contracted and published the Proclamation the 6th of *November* 1620: but the meeting was put off, by a further Proclamation (the draught of which the King much commended) to the 30th of *January* following; and then the Chancellor opened the Session with a short speech, and the King enlarged upon it.

It could not be thought, but that after so many projects for money, and exactions on the subject, during the intervals of Parliament, there would be many complaints exhibited in this. But the Commons went further, and soon appointed a Committee, to enquire into the abuses of the courts of justice; and upon the 14th and 15th of *March*, the Lord Chancellor himself was accused for taking of bribes, in causes which had depended before him; of which the Marquis of *Buckingham* was informed, by letters of the same date, from Mr. Secretary *Calvert* and Sir *Lionel Cranfield*, both members of the House.

Several Gentlemen of reputation, and of the Law, spoke in his Lordship's behalf; as did Sir *Edward Sackville*, his great friend: and when Sir *Robert Phelips*, the Chairman of the Committee, made his report, he made it with great tenderness, because it concerned the Honour of a great Man, so endued with all parts, both of *Art* and *Nature*, that he would say no more of him, being not able to say enough. The Marquis of *Buckingham*,

ham, in answer to Sir *Lionel Cranfield*, expresses his surprize and concern, at what had passed in the House; was glad the King's honour was not touched; and hoped that God, who had given the Chancellor many other great gifts, had preserved him from being guilty of the crimes charged upon him: however his Majesty hoped the Commons would waive their Application to the Lords, and leave the cause to the King, who could and would do justice therein. And the Lord *Clarendon*, Mr. *Hakewill*, Dr. *Heylin*, and others, look upon the King as ill-advised, in giving up this Minister, to the prosecution of the Commons; who insisted upon it, as warranted by former precedents. Yet in favour, as was thought, to the Chancellor, the Sessions was discontinued for some time; but upon the re-assembling of the Parliament, more accusations against him were brought, and an impeachment or charge, consisting of several articles, preferred to the Lords against him. Some of them he denied, others he extenuated, and some he confessed in such a manner, that the House was satisfied with his *Petition* and *Declaration*, printed correctly in the aforesaid Memoires; and then, his Lordship resigning the Great Seal on the 2d of May 1621; the Lords, the next day, by the mouth of the Lord *Chief Justice*, their Speaker *pro tempore*, pronounced the following sentence, in his Lordship's absence on account of sickness. "That
 " the Viscount St. *Alban*, Lord Chancellor of *England*,
 " shall undergo a fine or ranfome of forty thousand
 " pounds: that he shall be imprisoned in the *Tower*,
 " during the King's pleasure: that he shall for ever
 " be incapable of any office, place or employment in
 " the

“ the State or Commonwealth: that he shall never sit
“ in Parliament, or come within the verge of the Court.”

And upon the Lords giving the like judgment against the Lord Treasurer *Middlesex*, about three years after, the Lord *Clarendon* takes notice, that the clause for his Lordship's never sitting in Parliament, during life, is of such a nature, as is never before found in any judgment of Parliament, and in truth not to be inflicted on any Peer, but by attainder.

It is true, that the Prince and the Marquis of *Buckingham* endeavoured to mitigate the sentence; and some of the Lords excused their severity therein, by saying, they knew they left the Lord *St. Alban* in good hands; and it might be presumed, that the King, who (as his Lordship writes) had shed tears upon the news of his being accused, would be indulgent and beneficent to him upon his sentence.

His Lordship also observes, that his offences were *vitia temporis* as well as *hominis*; and that few or none of the particular charges, were less than two years old: so that he hoped the Lords found him in a state of grace and amendment; and to the King, he declares he was a virgin.

In the last article of the charge, it is alledged, that the Lord Chancellor had given way to great exactions by his servants; and he confesses, that it was a great fault and neglect in him, that he looked no better to them. Mr. *Rushworth* writes, that he was ever indulgent to them, and connived at their takings, and their ways betrayed him to that error. That the gifts taken, were most for interlocutory orders. That his decrees however were made
with

with so much equity, that none were ever reversed for unjust, as had been observed by persons learned in the law.

After a short confinement in the *Tower*, his Lordship in a little time applied to the King and Marquis of *Buckingham*, for access to his Majesty, which he obtained; but being by the sentence restrained from coming within the verge of the Court, the King dispensed with the same for some time, to the end that he might take care of his health, and the payment of his debts; and upon the prorogation of the Parliament in some heat, the King was pleased to consult with his Lordship, how and in what manner to proceed in reforming the Courts of Justice, and the other grievances the Commons had been enquiring into; upon which his Lordship writ the Memorial which is printed in this collection: and afterwards the King permitted him, by licence dated the 13th of *September* 1621, to stay at Sir *John Vaughan's* house at *Parson's Green*, and at *London*, for six weeks; and then he retired by the King's command, to his own house at *Gorbambury*, and there devoted himself to his studies and contemplations; which, however fitted for an active life, he had always loved: and as he had in the year 1620, presented to the King an acceptable book, intituled, *Novum Organum*, so in the few remaining years of his life, he shewed how well and profitably he could spend his time in retirement. In the greatest part of which time, he found the Duke of *Buckingham* his constant friend; and so he styles him in his last Will, made but a few months before his death. The displeasure the Duke expressed towards his Lordship some time after his

sentence, for not gratifying him with his lease or interest in *York-House*, being soon pacified, and the house afterwards obtained by the King, from whom it passed to the Duke.

On the 20th of *September* 1621, his Majesty signed a warrant to Sir *Thomas Coventry* his Attorney General to prepare an assignment of the Parliamentary fine, to such persons as his Lordship should name. And on the 12th of *October* following, sends the Attorney a warrant to draw up a Book for a Pardon of the Lord St. *Alban*, either after the form of a Coronation Pardon, or of such as was lately granted to Sir *Robert Cotton*, (with an exception nevertheless of the sentence given in the high Court of Parliament) which the Lord Keeper *Williams* seems to oppose, with a little acrimony, and the Attorney *Coventry* with all civility, fearing the pardon was in too general words, otherwise he writes he was willing to perform all good services to his Lordship, whose downfall he had often pitied.

The payments his Lordship had made and was to make to his Creditors, as well as other necessities, were, as I conceive, one occasion of his frequent and submissive applications to the King for his assistance; which I suppose he might sooner have obtained, had not the King's revenues been much exhausted by his former bounties to others, and not well supplied by reason of his disagreement with his Parliaments. However, as the rents of his Lordship's lands, and profits of offices were considerable; so the pension of twelve hundred pounds a year from the King, though precarious, which he mentions in his will, must exempt him from that lowliness of condition,

which some have represented his Lordship to be in at his death. Besides that in his will he gives several considerable legacies to his friends, to his servants, and charities: and hopes that there will be an over-plus after his debts paid, that a lecture may be founded in each of the Universities for *natural Philosophy* and the *Sciences*. In the performance of which, he intreats the Duke of *Buckingham*, as Overseer of his will, and his Executors, to consider what he had been; so that by their good care, his good mind might effect that good work.

Yet his Executors declining to act; administration, with the will annexed, was committed to Sir *Robert Rich* and Mr. *Thomas Meautys*, two of his Creditors: who about three years afterwards made a distribution of his effects, which probably if his Executors had acted, might have been more to the benefit of the Creditors and Legatees.

It is true, though it be known to few persons, that when the Duke of *Buckingham* went into *Spain*, the Lord St. *Alban's* affairs were at so low an ebb, that upon the death of Mr. *Murray*, he solicited the King, by Secretary *Conway*, to be made Provost of *Eaton College*; where indeed he would have enjoyed a pleasant retreat, in the society of learned men. To which the Secretary answered by a letter of the 21st of *March* 1623; that the King could not value his Lordship so little, or conceive that he limited his desires so low; in which however he should have been gratified, had not the King been engaged by the Lord Marquis, for Sir *William Becker* his Agent in *France*. The Place however was soon after obtained by Sir *Henry Wotton*, who had been his Majesty's

ty's Embassador in several Courts, and that by an honest artifice, as Mr. *Walton* writes, in his account of Sir *Henry's* life.

The first, or at least the chiefest work his Lordship compos'd after his retirement, was his *History of the Reign of King Henry VII.* which he dedicated to the Prince, and printed it fairly in *Folio* 1622. Sir *Fulke Greville*, who had been created Lord *Brooke*, and was lately Chancellor of the *Exchequer*, desiring him to get good paper and ink to print it with, the work being excellent: and so it hath been esteemed by Mr. *Selden*, and the best judges both at home and abroad.

As the Lord St. *Alban* had often resent'd that part of his sentence, which debarred his access to his Majesty, so when the times began to be active, and the Prince and Earl of *Buckingham* were in *Spain*, he writ to the Earl, that he never more lamented his misfortunes, than at that time, when he thought he could effectually serve both his Majesty and himself, if they pleas'd: and as he writ several letters to the Duke, and some of them of advice, so he received as gracious answers to them from *Madrid*. And how acceptable the present of his book of the *Advancement of Learning*, then lately published in *Latin*, was to his Grace upon his return from *Spain*, will appear by Duke's letter of thanks, dated the 27th of *October* 1623, and insert'd in this collection.

Upon the Prince's return into *England*, the Parliament highly approved of the Duke of *Buckingham's* conduct in *Spain*; and as the people of *England* had been generally averse to the *Spanish* match, they were so pleas'd with the delays and difficulties that had arisen, that the

Parliament pressed the King to enter into a war with that nation, in hopes thereby to oblige the house of *Austria* to a restitution of the *Palatinate*, as well as to break the match. In that season the Lord St. *Alban* laid aside the civil character, which he had long born, and composed a treatise intituled, *Considerations of a War with Spain*, which he presented to the Prince of *Wales*, and afterwards to the Queen of *Bohemia*, who had suffered so much by the *Spanish* and *German* armies; which treatise Dr. *Rawley* published, with some other of his Lordship's miscellaneous tracts, in 1629. His heads for a speech in Parliament, to be made on the same occasion, by Sir *Edward Sackville*, afterwards Earl of *Dorset*, and which is a sort of abridgment of the other, were never printed till now.

In the last year of King *James's* life, his Lordship revised and enlarged his *Essays* both in number and weight, which he observed of all his works had been most current, as coming home to mens business and businesses. A specimen thereof he had given to the world, in the year 1597, and dedicated them to his only brother, Mr. *Anthony Bacon*; and in the year 1612, he reviewed and enlarged them, with a dedication designed to Prince *Henry*, (now first printed) but upon the Prince's death he inscribed them to his brother-in-law, Sir *John Constable*. The last edition of 1625, was committed to the patronage of his faithful friend, the Duke of *Buckingham*, and rendered into *Latin*: as the former had been into *Italian* by Mr. *Tobie Matthew*; and into *French*, by the Marquis *D'Effiat*, the *French* Ambassador; who, upon his first visit to the Lord St. *Alban*, compared his
 Lordship

Lordship to the Angels, of whom he had heard and read much, but never seen them. To which his Lordship replied, that if the charity of others compared him to an Angel, his own infirmities told him he was a Man; and then the Marquis contracted such a Friendship with him, that he conversed with him by letters, and desired and obtained his picture to carry to *France*. But in the translation of this work, he and Mr. *Matthew* both played the Inquisitors, leaving out what they thought might be offensive to the rigid *Roman Catholics*.

Though before the Death of King *James*, his Lordship's fortunes began to respire; yet it appears, that upon the accession of the Prince to the Crown, he presented his duty to the new King by his letters, and made his application to the Duke, Lord Treasurer and others, but chiefly, as is conceived, for the arrears of his pension and some profits of his offices; which, as the times then went, were probably ill answered and paid: but as he enjoyed the possession of his pleasant seat and estate at and near *Gorbambury*, and by his last Will calculated how his debts and considerable legacies should be paid; it can never be thought, as is observed before, that he lived or died in such necessities, as it has been represented he did by some authors, and upon their authority, propagated by others of better reputation.

Having sufficiently established the fame of his learning and abilities, by his writings published by himself; he committed by his will, several of his Latin and philosophical compositions to the care of Sir *William Boswel*, his Majesty's Agent in *Holland*; where they were afterwards published by *Gruter*: his orations and letters

to Sir *Humphrey May*, Chancellor of the Dutchy, and the Bishop of *Lincolne*, (who had been his successor in the Court of *Chancery*, and acknowledged the honour of that trust) the letters to be preserved, but not to be divulged, as trenching too much on persons and matters of State. Most of his orations were presented to the world by his faithful Chaplain Dr. *Rawley*, in 1657, together with several of his letters; but those relating to the prosecution of the Lord and Lady *Somerſet*, for being concerned in the poisoning of Sir *Thomas Overbury*, were probably suppressed, in respect to a noble family that descended from that marriage. The Doctor was induced to the publication of some of those letters and tracts, by the spurious edition of many of them, without coherence of matter, or order of time: but the reasons that obliged him to conceal all the letters written whilst his Lordship carried the great Seal, do not appear. It is probable those which were written after it was taken from him, were passed over for the same reasons, which made him take little or no notice of his disgrace, in the life of his Lordship, which he prefixed to the *Refuscitatio*; hoping that the disastrous period of his life might in time be forgot. But it is well known upon what occasion the proceedings and sentence against him have been revived and published; and yet posterity hath been so kind to his Lordship's memory, as to look upon his offence, *as a little picture of night-work, amongst the other excellent tables of his acts and works.*

His Lordship had happily escaped the plague which infested the Summer of 1625; and with some difficulty, being of a tender and weak constitution, passed the se-

were

vere winter which followed; but going in the spring to make some experiment in natural philosophy, he was taken so ill, that he was obliged to stay at the Earl of *Arundell's* house at *Highgate* about a week, and there he expired on the 9th of *April* 1626, being *Easter-day*, and was privately buried in the Chancel of *St. Michael's Church*, within the precincts of *Old Verulam*, in which place the *Christian Faith* had been preached by *St. German* and professed by *St. Alban*, accounted the *Proto-Martyr of Britain*.

In the Chancel of that Church, his faithful friend and servant *Sir Thomas Meautys*, caused a neat monument of white marble to be erected, with his Lordship's effigies sitting in a contemplative posture, with the following Epitaph composed by *Sir Henry Wotton*; where *Sir Thomas* was interred himself, about twenty years after; of whom his Lordship writing to the Marquis of *Buckingham* says, that it was his happiness in his adversity, to have a good *servant*, as well as a good friend and a good master.

FRANCISCUS BACON, Baro de Verulam,

S ALBANI Vicecomes :

feu

Notioribus titulis

Scientiarum lumen, facundiæ lex,

Sic fedebat.

Qui postquam omnia naturalis sapientiæ,

Et civilis arcana evolvisset,

Naturæ decretum explevit :

Composita solvantur,

Anno Dom. MDCXXVI.

Ætatis LXVI.

Tanti viri memoriæ, Thomas Meautus, superstitis cultor,

Defuncti admirator.

H. P.

This monument hath been eched by the admirable hand of Mr. *Hollar*, and since engraven by the celebrated artist, Mr. *Vertue*, who hath also represented his Lordship in a curious *Print*, taken from the *original Picture*, now at *Gorbambury* in *Hertfordshire*, which had been his Lordship's seat, from the death of his brother, Mr. *Anthony Bacon*.

As to the endowments of his mind, all that need to be now said is, that his natural and acquired abilities were admired by those that knew him ; and his writings have commended them to future ages. His beneficence to mankind appears by his works, as well as by his compassion to the unfortunate, that fell under his prosecution.

As

As to his Religion, his Chaplain Dr. *Rawley* gives a large testimony; and a greater than the Doctor's may be every where found in his writings. But that qualification is the rather mentioned in this place, to shew the improbability of a calumny lately divulged; that a religious Gentleman, of a sickly constitution, whose time had been employed in studying, practising, and governing the common law; in searching into the depths and mysteries of state and philosophy; should be guilty or thought guilty of a crime rarely known to the nation. Nor do I remember it mentioned by any Historian but *Wilson*; who writes, that his indulgence to his servants, and his familiarity with them, opened a gap to infamous reports; but he thereupon adds, that innocence it self is a crime, when calumny sets her mark upon it.

It appears before, that he was accused of being too indulgent to his servants; and his Lordship does confess, and Dr. *Rawley*, and Mr. *Bushel*, who was one of them, insinuate; that some of them had abused his good nature. But that he should have abused himself or any of them, in the manner that has been represented by a Gentleman who was very young when his Lordship was censured, and likely to believe any base stories of the servants of Kings, as well as of Kings themselves, is no more to be credited, than the like defamation of *Virgil*, a most chaste poet. Now that a person in a mature age, a scholar and antiquary, should officiously, and upon no better authority, publish such a story of a Nobleman long at rest, who had been adorned with learning, as well as titles, would have been much more admired; had not the

very same person, in the same book, taken the liberty to print a letter detracting from the chastity of King *Charles I.* a virtue allowed him by his greatest enemies. But it is thought that the publisher has thereby reflected more upon his own discretion, than on the memory of that King, or of the Lord *Bacon*.

Nor has his Lordship been well treated by Monsieur *Rapin de Thoyras*; who, after he has commended his great abilities, and declared that he was a very great genius, and one of the most learned men in *Europe*; is pleased, from *Welden's* libel on the Court of King *James*, to insert in his History of that King, that his Lordship was a servile flatterer of those in favour, exceeding haughtily while fortune smiled, submissive and fawning when she frowned.

As to flattery it may be answered, that some people take the civil and decent expressions contained in addresses to Kings and great persons, to be flattery. Whereas the Lord *Bacon* writes in his *Essay of Praise*, that some praises come of good wishes and respects; which is a form due in civility to Kings and great persons, *laudando præcipere*; when by telling men what they are, they represent to them what they should be. And if his Lordship were guilty of excess that way, it may be looked upon as one of the vices of the age, which infected other great men and writers of that time. But the counsels his Lordship always gave the King, and his favourite, were the advices of a sincere servant and friend, and not of a sycophant: he assuring the Lord *Buckingham* in one of his letters, that he should ever give him,

as he gave the King his master, safe counsel, and such as time would approve.

As to the haughtiness with which he is charged, I shall refer the reader to what was written in the account of his Lordship's life by Dr. *Rawley*, and printed above thirty years after his decease, and so not to be suspected of flattery. He declares, that his Lord was no revenger of injuries, no remover of men out of their places, no defamer of any man to his Prince, no insulter of offenders: but always tender-hearted looking upon the example with the eye of severity, according to the duty of his place; but upon the person, with the eye of pity and compassion. The King giving him this testimony, that he ever dealt in business, *suavibus modis*, in a gentle manner; which was the way that was most according to his own heart.

Nor ought his submission upon his misfortunes to be too much objected to him; since that might proceed from the sense of his faults, and of his condition, wherein others were like to suffer with him. But that he supported himself under them as a *Christian* and a Philosopher, appears from the learned and noble works he composed in the last five years of his life. And if the latter end of the reign of King *James*, and the beginning of his son's, had been propitious to them; it may be presumed that they would not have permitted the studies of so great a man to be interrupted by any necessities, nor have deprived the Parliament of his abilities. And summoned he was by writ, to the second Parliament held by King *Charles*; but being then infirm and weak,

he died soon after the Session began; so that he never sat therein.

I shall only add, that upon his death several scholars of the University of *Cambridge* compiled a monument of *Latin* verses to his memory, which were soon after printed.





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VOITURE, edit. 1650. p. 753.

*J'AY trouvé parfaitement beau tout ce que vous me
mandés de BACON; mais ne vous semble-t'il pas
qu'Horace qui disoit*

Visum Britannos hospitibus feros,

*seroit bien etonné d'entendre un Barbare discourir comme
cela, & de voir qu'il n'y a peut-estre pas aujourd' huy
un Romain qui parle si bon Latin que cet Anglois? &
Juvenal ne diroit-il pas avec plus de raison que jamais,*

Nunc totus Graias nostrasque habet orbis Athenas.

LETTERS

OF THE

Lord Chancellor Bacon.

*To the most High and Excellent Prince, HENRY
Prince of Wales, Duke of Cornwall, and
Earl of Chester. **

It may please your Highnesse,

HAVING divided my life into the contemplative, and active Part, I am desirous to give his Majestie, and your Highnesse, of the Fruits of both, simple though they be.

To write just Treatises, requireth leisure in the Writer, and leisure in the Reader, and therefore are not so fit, neither in regard of your Highnesses princely Affairs, nor in regard of my continual Service; which is the cause, that hath made me chuse to write certain brief notes, set down rather significantly, then curiously, which I have called *Essaies*. The word is late, but the thing is antient, for *Senecaes* Epistles to *Lucilius*, if you marke them well, are but *Essaies*, that is, dispersed Meditations, though conveyed in the forme of Epistles. These labours of mine,

B

I know,

Letters of the Lord

I know, cannot be worthy of your Highnesse, for what can be worthy of you? But my hope is, they may be as graines of Salt, that will rather give you an appetite, than offend you with satiety. And although they handle those things wherein both mens lives, and their persons are most conversant; yet what I have attained I know not; but I have endeavoured to make them not Vulgar, but of a nature, whereof a man shall finde much in Experience, and little in Bookes; so as they are neither repetitions nor fancies. But however, I shall most humbly desire your Highnesse to accept them in gracious part, and to conceive that if I cannot rest, but must shew my dutifull and devoted affection to your Highnesse in these things which proceed from my self, I shall be much more ready to do it in performance of any of your princely commandments. And so wishing your Highnesse all princely felicity, I rest,

*Your Highnesse's most
Humble Servant,*

Fr. Bacon.

Sir Francis Bacon, design'd to have prefix'd this Epistle to his *Essays*, printed in the Year 1612, but was prevented by the Prince's death; yet it was so well liked by Mr. Mathew, that he inserted part of it in his Dedication to the Duke of Tuscany, before his Translation of those *Essays*, printed in 1618.

From the Original.

To Sir George Villiers.

S I R,

THERE is a Particular, wherein I think you may do yourself honour, which as I am informed, hath been laboured by my Lady of Bedford, and put in good way by the Bishop of Bath and Wells, concerning the restoring

storing to preach of a famous Preacher, one Doctor *Burgesse*, who though he hath been silenced a great time, yet he hath now made such a submission touching his Conformity, as giveth satisfaction: It is much desired also by *Greys-Inne* (if he shall be free from the State) to chuse him for their Preacher: And certainly it is safer to place him there, than in another Auditory, because he will be well watched, if he should any ways fly forth in his sermons beyond duty. This may seem a trifle, but I do assure you, in opening this Man's mouth to preach, you shall open very many mouths to speak honour of you; and I confess I would have a full Cry of *Puritans*, of *Papists*, of all the World to speak well of you: And besides I am perswaded (which is above all earthly glory) you shall do GOD good Service in it. I pray deal with his Majesty in it. I rest,
Your devoted and bounden Servant,

June 13, 1616,

Fra. Bacon.

*From the Original. **

To Sir George Villiers.

S I R,

I Send you inclosed a warrant for my *Lady of Somerset's* Pardon, reformed in that mayne, and material poynt, of inserting a Clause [that she was not a Principal, but an Accessary before the Fact, by the instigation of base persons.] Her Friends think long to have it dispatched, which I marvaile not at, for that in matter of Life, Moments are numbred. ^a

* Of the Tryal and Conviction of the Countess of *Somerset*, for being accessory to the murder of Sir *Thomas Overbury*, an account may be seen in the Introduction to Sir *Francis Bacon's* Letters and Memoires; but the Lord High Steward, and the Peers, observing that there had been satisfaction made to Justice, that she had been seduc'd by base persons, and that she had freely confessed her crime, interceded with the King for her Pardon.

Letters of the Lord

I do more and more take contentment in his Majestie's choice of Sir *Oliver St. John*, for his Deputy of *Ireland*, finding, upon divers conferences with him, his great sufficiency; and I hope the good intelligence which he purposeth to hold with me, by advertisements from time to time, shall work a good effect for his Majestie's Service.

I am wonderful desirous to see that Kingdome flourish, because it is the proper work and glory of his Majesty and his Times. And his Majesty may be pleased to call to minde, that a good while since, when the great Rent and Divisions were in the Parliament of *Ireland*, I was no unfortunate Remembrancer to his Majestie's princely wisdom in that businesse. God ever keep you and prosper you. *Your true and most devoted and bounden Servant,*

1 July, 1616.

Fr. Bacon.

From the Original. ♀

To Sir George Villiers.

S I R,

I Think I cannot do better service towards the good estate of the Kingdome of *Ireland*, than to procure the King to be well served in the eminent places of Law and Justice: I shall therefore name unto you for the Attorney's place there, or for the Solicitor's place, if the now Solicitor shall go up, a Gentleman of mine own breeding and framing, Mr. *Edward Wyrthington* of *Greys-Inne*, he is born to eight hundred pounds a Year; he is the eldest son of a most severe Justicer, amongst the Reuefants of *Lancashire*, and a Man most able for Law and Speech, and by me trained in the King's causes. My Lord Deputy,

Deputy, by my description, is much in love with the Man. I hear my Lord of *Canterbury*, and Sir *Thomas Laques* should name one Sir *John Beare*, and some other mean Men. This man I commend upon my credit, for the good of his Majesty's service. God ever preserve and prosper you. I rest, *Your most devoted, and most bounden Servant,*

2 July, 1616.

Fr. Bacon.

*From the Original.**

To Sir George Villiers.

S I R,

BECAUSE I am uncertain whether his Majesty will put to a point, some Resolutions touching *Ireland*, now at *Windfor*; I thought it my duty to attend his Majesty by my Letter, (and thereby to supply my absence) for the renewing of some former Commissions for *Ireland*, and the framing of a new Commission for the *Wards* and the *Alienations*, which appertain properly to me, as his Majesty's Attorney, and have been accordingly referred by my Lords. I will undertake that they are prepared with a greater care, and better application to his Majesty's service in that Kingdom, than heretofore they have been; and therefore of that I say no more. And for the Instructions of the new *Deputy*, they have been set down by the two Secretaries, and read to the Board; and being things of an ordinary nature, I do not see but they may pass.

BUT there have been three Propositions and Counsels which have been stirred, which seem to me of very great

* This Letter is printed in the *Resuscitatio* and *Cabala*, but is here corrected in some places by the Original.

Letters of the Lord

importance: wherein I think myself bound to deliver to his Majesty my advice and opinion, if they should now come in Question.

THE First is, touching the *Recusant Magistrates* of the Towns of *Ireland*, and the Communalities themselves; their Electors, what shall be done. Which Consultation ariseth from the late advertisements from the two Lords Justices, upon the instance of the two towns of *Limerick* and *Kilkenny*; in which advertisement they represent the danger onely, without giving any light for the remedy; rather warily for themselves, than agreeably to their duties, and Place.

IN this Point, I humbly pray his Majesty to remember, that the Refusal is not of the *Oath of Allegiance*, (which is not enacted in *Ireland*;) but of the *Oath of Supremacy*, which cutteth deeper into matter of conscience. Also, that his Majesty will, out of the depth of his excellent wisdom, and providence, think, and as it were calculate with himself; whether Time will make more for the cause of Religion in *Ireland*, and be still more, and more, propitious; or whether deferring Remedies will not make the Case more difficult. For if Time give his Majesty the Advantage, what needeth precipitation to extreme remedies? But if Time will make the case more desperate, then his Majesty cannot begin too soon. Now in my opinion, Time will open, and facilitate things for reformation of Religion there; and not shut up, or block the same. For first, the *Plantations* going on, and being, principally, of *Protestants*, cannot but mate the other Party in time: Also, his Majesty's care, in placing good *Bishops*, and *Divines*; in amplifying the *College* there; and in looking

looking to the education of *Wards*, and the like; as they are the most natural means, so are they like to be the most effectual and happy, for the weeding out of Popery, without using the temporal sword: So as, I think, I may truly conclude, that the ripeness of Time is not yet come.

THEREFORE my Advice, in all humbleness is, that this hazardous course of proceeding, to tender the *Oath* to the *Magistrates* of Towns, proceed not, but dye by degrees. And yet, to preserve the authority, and reputation of the former Council, I would have somewhat done; which is, that there be a proceeding to seizure of *Liberties*; but not by any Act of Power, but by *Quo Warranto*, or *Scire facias*; which is a legal Course; and will be the work of three, or four, Terms; by which time, the matter will somewhat cool.

BUT I would not (in no case) that the proceeding should be with both the Towns, which stand now in contempt, but with one of them only; choosing that which shall be thought most fit. For if his Majesty proceed with both, then all the Towns, that are in the like case, will think it a common Cause; and that it is but their case to day, and their own to morrow. But if his Majesty proceed but with one, the apprehension and terror will not be so strong; for they will think, it may be their case, as well to be spared, as prosecuted: And this is the best advice that I can give to his Majesty in this streight; and of this Opinion, seemed my Lord *Chancellor* to be.

THE second Proposition is this: It may be, his Majesty will be moved, to reduce the number of his *Council* of *Ireland*, which is now almost fifty, to twenty, or the like number; in respect the greatness of the number doth
both

Letters of the Lord

both embafe the Authority of the Council, and divulge the bufinefs. Nevertheless, I do hold this Proposition to be rather fpecious and folemn, than needful at this time; for certainly, it will fill the State full of Difcontentment; which, in a growing and unfettled Eftate, ought not to be.

THIS I could wifh, that his Majefty would appoint a felect number of *Counfellors* there, which might deal in the improvement of his Revenue; (being a thing not fit to pafs through too many hands;) and that the faid felected number fhould have Days of fitting by themfelves; at which, the reft of the Council fhould not be prefent; which being once fettled, then other principal bufinefs of State, may be handled at thofe Sittings; and fo the reft begin to be difufed, and yet retain their Countenance, without murmur or difgrace.

THE third Proposition, as it is wound up, feemeth to be pretty, if it can keep Promise: For it is this, That a Means may be found, to re-enforce his Majefty's Army there by five hundred or a thoufand men; and that without any Penny encrease of Charge. And the Means fhould be, that there fhould be a Commandement of a local removing, and transferring fome Companies, from one Province to another; whereupon it is fupposed, that many that are planted in Houfe and Lands, will rather leefe their Entertainment than remove: And thereby new men may have their Pay, and yet the old be mingled in the Country, for the ftrength thereof.

IN this Proposition two things may be feared: The one, Difcontent of thofe that fhall be put off: The other, that the Companies fhall be ftuffed with *Tyrones*, inftead of *Veterani*. I wifh therefore, that this Proposition be

well

well debated ere it be admitted. Thus having performed that which duty binds me to; I commend you to God's best preservation. *Your most devoted and bounden Servant,*

Gorbambury, July 5, 1616.

Fra. Bacon.

From the Original. ♀

To the KING.

It may please your most excellent Majestie,

ACCORDING to your Commandement, I send inclosed the Preface to the Patent of Creation of Sir *George Villiers*. I have not used any glaring termes, but drawn it according to your Majesties Instructions, and the note which thereupon I framed, and your Majestie allowed, with some additions which I have inserted. But I hope your Majestie will be pleased to correct and perfect it. Your Majestie will be also pleased to remember, that if the Creation shall be at *Roughford*, your pleasure and this draught be speedily returned; for it will aske a sending of the Bill for your Majesties Signature, and a sending back of the same to pass the Seales, and a sending thereupon of the Patent itself: So it must be twice sent up and down before the day. God evermore preserve your Majestie. *Your Majesties most devoted and most bounden Servant,*

28 July 1616.

Fra. Bacon.

Letters of the Lord

To Sir George Villiers.

S I R,

I Send you the Bill for his Majesties Signature, reformed according to his Majesties Amendments, both in the two places, (which, I assure you, were both altered with great judgement;) and in the third place, which his Majestie termed a Question onely. But he is an idle body that thinks his Majestie asks an idle Question; and therefore his Majesties Questions are to be answered by taking away the cause of the Question, and not by replying.

For the Name, his Majesties Will is a Law in those things; and to speak truth, it is a well-sounding and noble Name both here and abroad: And being your proper Name, I will take it for a good sign that you shall give honour to your Dignity, and not your Dignity to you. Therefore I have made it *Viscount Villiers*: And for your Baronry I will keep it for an Earldom; for though the other had been more orderly, yet that is as usual, and both alike good in Law.

For *Roper's* place, I would have it by all means dispatched; and therefore I marvel it lingreth. It were no good manners to take the business out of my Lord Treasurer's hands; and therefore I purpose to write to his Lordship, if I hear not from him first by Mr. *Deccombe*. But if I hear of any delay; you will give me leave (especially since the King named me) to deal with Sir *John Roper* my selfe: for neither I, nor my Lord Treasurer, can deserve any great thanks of you in this business, considering the King hath spoken to Sir *John Roper*, and he hath

hath promised ; and besides the thing it self is so reasonable, as it ought to be as soon done as said^a. I am now gotten into the Countrey to my House, where I have some little liberty to think of that I would think of, and not of that which other Men hourly break my Head withal, as it was at *London*. Upon this you may conclude that most of my thoughts are of his Majesty ; and then you cannot be far off. God ever keep you and prosper you. I rest always, *Your true and most devoted Servant,*

5 Aug. 1616.

Fr. Bacon.

^a Sir *John Roper* being Clerk of the *Pleas* in the *King's-Bench*, resigned that profitable Office to Sir *George Villiers's* Trustees, upon his being created Lord *Teynham* ; as appears in the Introduction and Letters formerly printed.

To Sir George Villiers.

S I R,

I Have sent you now your Patent of Creation of Lord *Blechley* of *Blechley*, and of Viscount *Villiers*. *Blechley* is your own, and I liked the sound of the name better than *Whaddon* : But the name will be hid, for you will be called Viscount *Villiers*. I have put them both in a Patent, after the manner of the Patent of Arms where Baronies are joined. But the chief reason was, because I would avoid double prefaces ; which had not been fit. Nevertheless the ceremony of robing, and otherwise, must be double. And now because I am in the Countrey, I will send you some of my Countrey fruits, which with me are, good Meditations ; which when I am in the City are choked with Business.

After that the King shall have watered your new Dignities,

ties, with his bounty of the Lands which he intends you; and that some other things concerning your means, which are now likewise in intention, shall be settled upon you; I do not see but you may think your private fortunes established. And therefore it is now time that you should refer your actions chiefly to the good of your Sovereign, and your Countrey. It is the life of an Oxe, or a Beast, always to eat and never to exercise: but Men are born (especially Christian men) not to cram in their Fortunes, but to exercise their Vertues: and yet the other hath been the unworthy, and sometimes the unlucky humour of great persons in our times. Neither will your further Fortune be the further off. For assure your self, that Fortune is of a Woman's nature, that will sooner follow you by flighting, than by too much wooing. And in this dedication of your self to the publick, I recommend unto you principally, that which I think was never done since I was born, and which not done, hath bred almost a wildernes and solitude in the King's service: which is, that you countenance and encourage and advance able and virtuous Men, in all kinds degrees and professions. For in the time of some late great Counsellours, when they bare the sway, able Men were by design and of purpose suppressed. And though now since Choice goeth better, both in Church and Commonwealth; yet money, and turn-serving, and cunning canvises, and importunity prevail too much. And in places of moment, rather make able and honest Men yours, than advance those that are otherwise because they are yours. As for cunning and corrupt Men, you must, I know, sometimes use them: but keep them at a distance, and let it appear that you make use of them,

rather

rather than that they lead you. Above all, depend wholly (next to *God*) upon the *King*; and be ruled (as hitherto you have been) by his instructions; for that's best for your self. For the *King's* care and thoughts concerning you are according to the thoughts of a great *King*; whereas your thoughts concerning your self are and ought to be according to the thoughts of a modest *Man*. But let me not weary you; the sum is, that you think Goodness the best part of Greatness; and that you remember whence your rising comes, and make return accordingly. *God* ever keep you. *Your true and most devoted Servant,*

12 Aug. 1616.

Fr. Bacon.

The good Counsels which Sir *Francis Bacon* gives in this Letter to Sir *George Villiers*, is a sort of abridgment of that excellent Discourse which he made for him, soon after he became a Favourite, and was printed in 1660, and since that time.

To the KING.

It may please your most excellent Majestie,

I Have sent Sir *George Villiers's* Patent drawn again, containing also a Baronry; the name *Blechley*, which is his own; and to my thinking soundeth better than *Whaddon*. I have included both in one Patent, to avoid a double preface, and as hath been used in the Patents of Earls of like nature. Nevertheless the ceremony of robing and otherwise is to be double, as is also used in like case of Earls.

It resteth, that I expresse unto your Majestie my great joy in your honouring and advancing this Gentleman; whom to describe, not with colours but with true lines, I

may say this; your Majesty certainly hath found out and chosen a safe Nature, a capable Man, an honest Will, generous and noble Affections, and a Courage well lodged; and one that I know loveth your Majestie unfeignedly, and admireth you as much as is in a Man to admire his Sovereign upon Earth. Onely your Majestie's school (wherein he hath already so well profited, as in this entrance upon the stage, being the time of greatest danger, he hath not committed any manifest error) will add perfection; to your Majesties comfort, and the great contentment of your people. God ever preserve and prosper your Majestie. I rest in all humbleness, *Your Majesties most bounden and most devoted Subject and Servant,*

12 Aug. 1616.

Fr. Bacon.

To Sir George Villiers.

S I R,

I Took much contentment in that I perceive by your Letter, that you took in so good part the freedom of my advice; and that your self in your own nature consented therewith. Certainly, *no service is comparable to good counsel*; and the reason is, because no Man can do so much for another, as a Man may do for himself. Now good Counsel helpeth a Man to help himself: but you have so happy a Master as supplyeth all. My service and good will shall not be wanting.

It was graciously and kindly done also of his Majestie towards me, to tell you that you were beholding to me. But it must be then for thinking of you as I do; for otherwise, for speaking as I think, it is but the part of an honest

next Man. I send you your Patent, whereof God give you joy. And I send you here inclosed, a little note of remembrance for that part of the Ceremony, which concerneth the Patent: For as for other Ceremonies, I leave to others.

My Lord *Chancellor* dispatched your Patent presently upon the receipt; and writ to me how glad he was of it, and how well he wished you. If you write to him a few words of thanks, I think you shall do well. God keep you and prosper you. I ever rest, *Your true and most devoted Servant,*

Fr. Bacon.

20 Aug. 1616.

To Sir George Villiers.

S I R,

I Am more and more bound unto his Majestie, who, I think, knowing me to have other ends than ambition, is contented to make me judge of mine own desires. I am now beating my Brains (among many cares of his Majesties business) touching the redeeming the time in this business of Cloth. The great Question is, how to miss or how to mate the *Flemmings*; how to pass by them, or how to pass over them^a.

In my next Letter I shall alter your style; but I shall never whilst I breathe alter mine own style, in being *Your true and most devoted Servant,*

Fr. Bacon.

22 Aug. 1616.

^a Of the Controversy between the *old* and *new* Company of Merchants, in relation to the exporting of Woollen Cloths, either dyed or undressed, much may be found in the Letters of the 12th of *August*, the 3^d and 25th of *February* 1615, contained in the aforesaid Letters and Memoirs, and in the Introduction to them.

From

Letters of the Lord

From the Original.

To the KING.

It may please your most excellent Majesty,

FIRST from the bottom of my heart, I thank the God of all mercy and salvation, that he hath preserved you from receiving any hurt by your fall; and I pray his divine Majesty ever to preserve you on horseback and on foot from hurt, and fear of hurt.

Now touching the Clothing businesse; for that I perceive the Cloth goeth not off as it should, and that *Wiltshire* is now come in with complaint as well as *Gloucestershire* and *Worcestershire*, so that this Gangrene creepeth on; I humbly pray your Majesty to take into your Majesties princely consideration a Remedy for the present stand, which certainly will do the deed; and for any thing that I know will be honourable and convenient, though joyned with some losse in your Majesties customes, which I knowe in a businesse of this quality, and being but for an interim, till you may negotiate, your Majestie doth not esteem. And it is this.

That your Majesty by your Proclamation, do forbid (after fourteen dayes, giving that time for futing mens selves) the wearing of any stufte made wholly of Silk, without mixture of Wool, for the space of six months. So your Majesty shall supply outward vent with inward use, specially for the finer Cloths, which are those wherein the stand principally is, and which Silk wearers are likest to buy; and you shall shew a most Princely care over thousands of the poor people; and besides your Majesty

jestie shall blowe a Horne, to let the *Flemings* know your Majestie will not give over the chace. Again, the Winter season coming on is fittest for wearing of Cloth, and there is scope enough left for bravery and vanity by lacing and embroydery, so it be upon Cloth or stufes of Wool.

I thought it my duty to offer and submit this remedy, amongst others, to your Majesties great wisdom, because it pleased you to lay the care of this businesse upon me; and indeed my care did fly to it before, as it shall always do to any knots and difficulties in your businesse, wherein hitherto, I have been not unfortunate. God ever have you in his most pretious custody. *Your Majestie's most faythful and most bounden Servant,*

13 Sept. 1616.

Fra. Bacon.

From the Original.

To the Lord Viscount Villiers.

My very good Lord,

IT was my opinion from the beginning, that this *Company* will never overcome the businesse of the *Cloth*; and that the Impediments are as much or more in the persons which are *Instrumenta animata* than in the dead businesse it selfe.

I have therefore sent unto the King here inclosed my *Reasons*, which I pray your Lordship to shew his Majestie.

The new *Company* and the old *Company* are but the Sons of *Adam* to me, and I take my self to have some credit with both: but it is upon fear rather with the old, and upon love rather with the new; and yet with both

D

upon

Letters of the Lord

upon persuaſion that I underſtand the buſineſſe.

Nevertheleſſe I walk in *viâ regia*, which is not abſolutely acceptable to either: For the new Company would have all their demands granted, and the old Company would have the King's work given over and deſerted.

My opinion is, that the old Company be drawn to ſucceed into the Contract, (elſe the King's honour ſuffereth) and that we all draw in one way to effect that. If *Time*, which is the wiſeſt of things, prove the work impoſſible or inconvenient, which I do not yet believe, I know his Maſteſtie and the State will not ſuffer them to periſh.

I wiſh what ſhall be done, were done with reſolution and ſpeed, and that your Lordſhip (becauſe it is a gracious buſineſſe) had thanks of it next the King; and that there were ſome Commiſſion under his Maſteſtie's ſign manual, to deal with ſome ſelected perſons of the old Company, and to take their answers and conſent under their hands; and that the procuring the Commiſſion, and the procuring of their offers to be accepted, were your Lordſhip's work.

In this treaty my Lord Chancellor muſt by no means be left out, for he will moderate well, and aimeth at his Maſteſtie's ends.

Mr. *Sollicitor* is not yet returned, but I look for him preſently. I reſt *Your Lordſhip's true and moſt devoted Servant*,

Monday 14th of October
at 10 of the Clocke.

Fr. Bacon.

From

From the Original.

Reasons why the new Company is not to be trusted and continued with the Trade of Clothes.

F*Irst*, The Company consists of a number of young Men and Shop-keepers, which not being bred in the trade, are fearful to meddle with any of the dear and fine Clothes, but only meddle with the coarse Clothes, which is every Man's skill: and besides having other trades to live upon, they come in the Sun-shine so long as things go well, and as soon as they meet with any storme or cloud, they leave Trade and goe back to Shop-keeping: whereas the *old Company* were beaten Traders, and having no other means of living but that Trade, were faine to ride out all accidents and difficulties; which, being men of great ability, they were well able to do.

Secondly, These young men being the major part, and having a kind of dependance upon Alderman *Cockaine*, they carry things by plurality of voices; and yet those few of the old Company which are amongst them do drive almost three parts of the Trade; and it is impossible things should go well, *where one part gives the vote, and the other doth the work*; so that the execution of all things lyes chiefly upon them that never consented, which is meerly *motus violentus*, and cannot last.

Thirldly, The new Company make continually such new springing demands, as the State can never be secure nor trust to them, neither doth it seem that they do much trust themselves.

Fourthly, The present stand of Cloth at *Blackwell-hall*

Letters of the Lord

(which is that that presseth the State most, and is provided for but by a temporary and weak remedy) is supposed would be presently at an end, upon the revivor of the old; in respect that they are able men and united amongst themselves.

Fifthly, In these cases, *Opinio est veritate major*, and the very voice and expectation of revivor of the old Company will comfort the Clothiers, and encourage them not to lay down their Loomes.

Sixthly, The very *Flemings* themselves (in regard of the pique they have against the new Company) are like to be more pliant and tractable towards his Majestie's ends and desires.

Seventhly, Considering the business hath not gone on well, his Majestie must either lay the fault upon the matter it self, or upon the persons that have managed it; wherein the King shall best acquit his honour, to lay it where it is indeed; that is, upon the carriage and proceedings of the new Company, which have been full of uncertainty and abuse.

Lastly, The subjects of this Kingdom generally have an ill taste and concept of the new Company, and therefore the putting of them down, will discharge the State of a great deal of envy.

From the Original.

To the Lord Viscount Villiers.

My very good Lord,

NOW that the King hath receiv'd my Opinion, with the Judges's opinion, unto whom it was referred,

red, touching the proposition for *Innes* in point of Law; it resteth that it be moulded and carried in that sort, as it may pass with best contentment and conveniency. Wherein I that ever love good company, as I was joined with others in the legal poynt, so I desire not to be alone in the direction touching the conveniency. And therefore I send your Lordship a forme of Warrant for the King's signature, whereby the framing of the businesse and that which belongeth to it, may be referred to my self with Serjeant *Montague* and Serjeant *Finch*; and though *Montague* should change his place, that alteration hurteth not the businesse, but rather helpeth it. And because the inquiry and survey touching *Innes* will require much attendance and charge, and the making of the Licences, I shall think fit (when that Question cometh to me) to be * to the Justice of *Assise*, and not to those that follow this business: ^{* Here the word [referred] is omitted in the original.} Therefore his Majestie may be pleas'd to consider what proportion or dividend shall be allotted to Mr. *Mompesson*, and those that shall follow it at their own charge, which useth in like cases to be a fifth ^a. So I ever rest, Your Lordship's true and most devoted Servant,

13 Nov. 1616.

Fr. Bacon.

^a I suppose it was not long after the Judges and Attorney General had given the opinion above mention'd, that a *Patent* was granted for licencing of common *Innes*, under colour whereof Sir *Giles Mompesson* levied several sums of Money by way of Fines, as well as by yearly Incomes from them; and Alehouses also by a subsequent Patent: Proceeding therein with so much rigour, that it was complained of in the Parliament which began in 1622, as one of the great grievances of the Nation; the Patent declared illegal, and recalled by the King's proclamation; *Mompesson* and *Michel*, the chief Projectors of this and some other Oppressions severely censured according to their demerits. The manner of which may be seen in the Journals of that Parliament, and the histories of those Times.

From

Letters of the Lord

From the Original.

To the Lord Viscount Villiers.

My very good Lord,

I Think his Majestie was not onely well advised but well inspired, to give order for this same wicked child of *Cayn, Bertram*, to be examin'd before he was further proceeded with. And I for my part before I had received his Majestie's pleasure by my Lord Chamberlayn went thus far, that I had appointed him to be further examined, and also had taken order with Mr. Sollicitor that he should be provided to make some declaration at his tryal in some solemn fashion, and not to let such a strange Murder passe as if it had been but a Horse-stealing.

But upon his Majestie's pleasure signified, I forthwith caused the Tryal to be stayed, and examin'd the party according to his Majestie's Questions; and also sent for the principal Counsel in the cause whereupon Sir *John Tyndal's* report was grounded, to discern the justice or iniquity of the said report as his Majesty likewise commanded.

I send therefore the case of *Bertram* truely stated and collected, and the examination taken before my selfe and Mr. Sollicitor; whereby it will appear to his Majestie that Sir *John Tyndal* (as to this cause) is a kind of a Martyr: For if ever he made a just report in his life, this was it.

But the event since all this is, that this *Bertram*, being as it seemeth indurate or in despair, hath hanged himselfe in prison; of which accident as I am sorry because he is taken from example and publick justice, so yet I would not for any thing it had been before his examination: So that
there

there may be otherwise some occasion taken either by some declaration in the *King's Bench* upon the return of the Coroner's enquest, or by some printed book of the fact, or by some other meanes (whereof I purpose to advise with my Lord Chancellor) to have both his Majestie's royal care, and the truth of the fact, with the circumstances, manifested and published*.

For the taking a Tye of my Lord Chief Justice before he was placed, it was done before your Letter came, and on *Tuesday, Heath* and *Shute* shall be admitted, and all perfected.

My Lord Chancellor purposeth to be at the hall to morrowe, to give my Lord Chief Justice his Oath, I pray God it hurt him not this cold weather. God ever prosper you. *Your true and most devoted Servant,*

Sunday night the 17th
of Novemb. 1616.

Fr. Bacon.

* This *Bertram*, who, according to *Camden* in his Annals of King *James* was a grave man above seventy years of age and of a clear reputation, pistolled Sir *John Tyndal* a Master in *Chancery* on the 12th of *November*, for making a report against him in a cause where the sum contended for did not exceed 200 *l*. By his examination taken the 16th he confessed it to be as foul a Murther as ever was, under the sense of which he hanged himself the next day.

From the Original. ♀

*To Sir Francis Bacon his Majestie's Attorney
General.*

S I R,

I Have acquainted his Majestie with your Letter, and the other Papers inclos'd, who liketh very well of the course you purpose touching the *manifest* to be published
of

Letters of the Lord

of *Bertram's* fact. And will have you, according to your own motion, advise with my Lord Chancellor of the manner of it. His Majestie's pleasure likewise is, that according to the declaration he made before the Lords of his Council at *Whitehall*, touching the review of my Lord *Coke's* Reports, you draw a Warrant ready for his signature, directed to those Judges whom he then named to that effect, and send it speedily to him to be signed, that there may be a dispatch of that business before the end of the Term, and soe I rest, *Your faithful Friend at command,*

Newmarket, 19 Nov. 1616.

George Villiers.

*The Case of John Bertram. **

Leonard Chamberlayne died intestate without issue, and left a Sister married to *Bertram*, and a Niece afterwards married to Sir *George Simeon*.

The Niece obtained letters of Administration, and did administer; but afterwards upon appeale *Bertram* in the right of his Wife (that was the Sister) obtained the former Administration to be repealed, and new letters of Administration to be committed to *Bertram* and his Wife, because the Sister was nearer of kinne than the Niece.

Thereupon *Bertram* brings his Bill in Chancery against the first Administratrix, to discover the true state of the Intestate, and to have it set over unto him, being the rightful Administrator; and this Cause coming to hearing, it did appeare that there was a debt of 200 *l.* oweing by one *Harris* to the Intestate: Whereupon it was decreed, that

that the debt of *Harris* by bond should be set over to *Bertram*, and likewise that all other moneys, debts and bonds should be assigned over to him. In the penning of this Decree there was an error or slip, for it was penned that a debt by *Harris* by a bond of 200 *l.* should be set over, whereas the proofes went plainly that it was but 200 *l. in toto* upon divers specialties and writings. Upon this pinch and advantage *Bertram* moved still that the bond of 200 *l.* should be brought in, and at last the defendant alledging that there was no such bond, the Court ordered that the money it self (*viz.*) 200 *l.* should be brought in, which was done accordingly, and soon after by Order of the Court it was paid over to *Bertram*.

When *Bertram* had this 200 *l.* in his purse, he would needs surmise, that there was another 200 *l.* due by *Harris* upon accompt besides the 200 *l.* due by one singular bond, and still pressed the words of the Decree which mentions a bond, and thereupon got his adversary Sir *George Simeon* committed. Afterwards it was moved upon *Simeon*'s part, that there was only one debt of 200 *l.* and that the Decree was mistaken in the penning of it, and so must needs be understood, because the Decree must be upon the proofes, and all the proofes went but upon the 200 *l. in toto*, and not upon any particular bond: whereupon my Lord Chancellor referred the consideration of the proofes, and the compareing of them with the Decree, to Sir *John Tyndall* and Doctor *Amye*.

They reported (which was the killing report) that upon the proofes there was but one 200 *l.* in all, and that had been eagerlie followed by *Bertram*, and that *Simeon* had suffered by error and mistaking, and that it were time he

Letters of the Lord

were releas'd (which was a most just and true report) and yet it concluded (as is used in such cases) that they referred it to the better judgment of the Court; and the Court upon the reading of that report gave order that the Plaintiff *Bertram* should shew cause by a day why *Simeon* should not be enlarged, and the Plaintiff *Bertram* dismissed. And before the day prefixed to shew cause *Bertram* pistoll'd Sir *John Tyndall*.

From the Original.

To the Lord Viscount Villiers.

My very good Lord,

I Am glad to finde your Lordship mindful of your own businesse, and if any man put you in minde of it, I do not dislike that neither; but your Lordship may assure your self in whatsoever you commit to me, your Lordship's further care shall be needles. For I desire to take nothing from my Master and my Friend but care, and therein I am so covetous, as I will leave them as little as may be. Now therefore things are grown to a conclusion touching your *Land* and *Office*, I will give your Lordship an account of that which is pass'd; and acquaint your judgement (which I know to be great and capable of any thing) with your own businesse, that you may discern the difference between doing things substantially, and between shuffling and talking: And first for your Patent.

First, It was my counsel and care that your Book should be *Fee-Farme* and not *Fee-Simple*; whereby the rent of
the

the Crown in succession is not diminished, and yet the quantity of the Land which you have upon your value is enlarged; whereby you have both honour and profit.

Secondly, By the help of Sir *Lyonel Cranfield* I advanced the value of *Sherbourn* from 26000 l. (which was thought and admitted by my Lord Treasurer and Sir *John Decombe*, as a value of great favour to your Lordship, because it was a thousand pound more than it was valued at to *Somerset*) to thirty two thousand pounds, whereby there was six thousand pounds gotten and yet justly.

Thirdly, I advised the course of rating *Hartington* at a hundred years purchase, and the rest at thirty five years purchase Fee-Farme, to be set down and expressed in the Warrant; that it may appear and remain of record, that your Lordship had no other rates made to you in favour, than such as purchasers upon sale are seldom drawn unto; whereby you have honour.

Fourthly, That lease to the Feoffees, which was kept as a secret in the deske (and was not onely of *Hartington*, but also of most of the other particulars in your book,) I caused to be thoroughly looked into and provided for; without which your assurance had been nothing worth, and yet I handled it so, and made the matter so well understood, as you were not put to be a suitor to the Prince for his good will in it, as others ignorantly thought you must have done.

Fifthly, The *Annexation*; which no body dreamt of, and which some idle bold Lawyer would perhaps have said had been needless, and yet is of that weight, that there was never yet any man that would purchase any such Land from the King, except he had a declaration to discharge

Letters of the Lord

it: I was provident to have it discharged by declaration.

Sixthly, Left it should be said that your Lordship was the first (except the Queen and the Prince) that brake the *Annexation* upon a mere gift, for that others had it discharged onely upon sale, which was for the King's profit and necessity; I found a remedy for that also, because I have carved it in the declaration, as that this was not gift to your Lordship, but rather a purchase and exchange, (as indeed it was) for *Sherbourn*.

Seventhly and lastly, I have taken order (as much as in me was) that your Lordship in these things which you have passed be not abused if you part with them; for I have taken notes in a book of their values and former offers.

Now for your office.

First, Whereas my Lord *Teynham* at the first would have had your Lordship have had but one life in it, and he another; and my Lord Treasurer, and the Solicitor and *Deccombe* were about to give way to it; I turned utterly that course, telling them that you were to have two lives in it as well as *Somerset* had.

Secondly, I have accordingly in the assurance from your Deputies, made them acknowledge the trust, and give security not onely for your Lordship's time, but after; so as you may dispose (if you should dye, which I would be sorry to live to) the profits of the office by your Will, or otherwise to any of your friends, for their comfort and advancement.

Thirldy, I dealt so with *Whitlocke* as well as *Heath*, as there was noe difficulty made of the surrender.

Lastly, I did cast with my self, that if your Lordship's Deputies,

Deputies, had come in by Sir *Edward Cooke* who was tyed to *Somerſet*, it would have been ſubject to ſome clarnour from *Somerſet*, and ſome queſtion what was forfeited by *Somerſet*'s attainder (being but of felony) to the King: But now they coming in from a new Chief Juſtice, all is without queſtion or ſcruple.

Thus your Lordſhip may ſee my love and care towards you, which I think infinitely too little in reſpect of the fulneſs of my minde; but I thought good to write this, to make you underſtand better the ſtate of your own buſineſſe, doing by you as I do by the King; which is to do his buſineſſe ſafely and with foreſight, not onely of to morrowe or next day, but aſar off, and not to come ſideling with a report to him what is done every day, but to give him up a good ſumme in the end.

I purpoſe to ſend your Lordſhip a kalendar fair written of thoſe evidences which concern your eſtate, for ſo much as have paſſed my hands; which in truth are not fit to remain with Solicitors, no nor with friends, but in ſome great Cabinet to be made for that purpoſe.

All this while I muſt ſay plainly to your Lordſhip, that you fall ſhort for your preſent charge, except you play the good huſband: For the office of *Teynham* is in reverſion, *Darcy*'s land is in reverſion; all the land in your bookes is but in reverſion, and yields you no preſent profit becauſe you pay the Fee-Farme. So as you are a ſtrange *Heteroclite* in *Grammar*, for you want the preſent tenſe; many Verbes want the præterperfect tenſe and ſome the future tenſe, but none want the preſent tenſe. I will hereafter write to your Lordſhip what I think of for that ſupply; to the end that you may, as you have begun to
your

your great honour, despise money, where it crosseth reason of state or vertue. But I will trouble you no further at this time. God ever preserve and prosper your Lordship.
Your true and most devoted Servant,

29 November 1616.

Fr. Bacon.

From the Original.

To the Lord Viscount Villiers.

My very good Lord,

I Delivered the proclamation for Cloth to Secretary Winwood on Saturday, but he keepeth it to carry it down himself, and goeth down, as I take it, to day: His Majestie may perceive by the docket of the proclamation, that I do not onely study, but act that point touching the Judges, which his Majestie commandeth in your last.

Yesterday was a day of great good for his Majestie's service and the peace of this Kingdom, concerning duels by occasion of *Darcy's Case*. I spake big and publishing his Majestie's streight charge to me, said it had strook me blind, as in point of duells and cartels, &c. I should not knowe a coronet from a hatband. I was bold also to declare how excellently his Majestie had expressed to me a contemplation of his touching duells; that is, that when he came forth and saw himself princely attended with goodly Noblesse and Gentlemen, he entered into the thought, that none of their lives were in certainty not for twenty four hours from the duel; for it was but a heat or mistaking, and then a lye, and then a challenge, and then life; saying that I did not marvel seeing *Xerxes* shed teares

to think none of his great army should be alive once within a hundred years, his Majestie were touched with compassion to think that not one of his attendance but mought be dead within twenty four hours by the duel. This I write because his Majestie may be wary what he sayeth to me (in things of this nature) I being so apt to play the blabbe. In this also I forgot not to prepare the Judges, and wish them to professe, and as it were to denounce, that in all cases of duel capital before them, they will use equal severity towards the *insolent* murder by the duel, and the *insidious* murder; and that they will extirpate that difference out of the opinions of men, which they did excellent well^a.

I must also say, that it was the first time that I heard my Lord of *Arundel* speak in that place; and I do assure your Lordship he doth excellently become the Court; he speaketh wisely and weightily, and yet easily and clearly as a great Nobleman should do^b.

There hath been a proceeding in the *King's Bench* against *Bertram's* keeper for misdemeanor, and I have put a little pamphlet (prettily penn'd by one Mr. *Trotte*, that I set on work touching the whole business) to the presse by my Lord Chancellor's advice.

^a The charge of Sir *Francis Bacon* touching duels, upon an information exhibited in the Star-Chamber in the year 1614, was so well approved by the Court, that they order'd the same to be printed, together with the Decree made thereon.

^b The Earl of *Arundel* descended from the noble family of the *Howards* by a Daughter of the Lord *Fitz-Alan*, his Grandfather the Duke of *Norfolke* lost his life on account of the *Queen of Scots*, his Father was attainted and died in the Tower, but the Son was restored in blood by King *James*, and much employed and valued, as the greatest Virtuoso of his age, that encouraged Arts and Sciences, and brought *Greece* and *Italy* into *England*, by the Pictures, Statues and antique Inscriptions he imported; deserving, it is thought, a better character than the Lord *Clarendon* has been pleased to bestow upon him.

Letters of the Lord

I pray God direct his Majestie in the Cloth busines, that that thorne may be once out of our sides: His Majesty knoweth my opinion *ab antiquo*. Thanks be to God of your health, and long may you live to do us all good. I rest, *Your true and most devoted Servant,*

Fr. Bacon.

From the Original. ♣

To the Lord Viscount Villiers.

It may please your Lordship,

I Pray let his Majestie understand, that although my Lord Chancellor's answer touching the dismission of the *Farmers* cause, was full of respect and duty, yet I would be glad to avoyd an expresse signification from his Majestie, if his Majestie may otherwise have his end. And therefore I have thought of a course, that a motion be made in open Court, and that thereupon my Lord move a compromise to some to be named on either part, with bond to stand to their award. And as I finde this to be agreeable to my Lord Chancellor's disposition, so I do not finde but the *Farmers* and the other party are willing enough towards it. And therefore his Majestie may be pleased to forbear any other letter or message touching that busines. God ever keep your Lordship. *Your Lordship's true and most devoted Servant,*

23 Jan. 1616.

Fr. Bacon.

From

From the Original.

To the Earl of Buckingham, from Sir Francis Bacon on his being made Lord Keeper of the Great Seal.

My dearest Lord,

IT is both in cares and kindnesse, that small ones flote up to the tongue, and great ones sink down into the heart in silence: Therefore I could speake little to your Lordship to day, neither had I fit time. But I must professe thus much, that in this day's worke you are the truest and perfectest mirrour, and example of firm and generous friendship that ever was in Court. And I shall count every day lost, wherein I shall not either study your wel-doing in *thought*, or do your name honor in *speech*, or perform you service in *deed*. Good my Lord, account and accept me, *Your most bounden and devoted Friend and Servant of all Men living,*

7 Mar. 1616.

Fr. Bacon, C. S.

From the Original. ♀

To the Earl of Buckingham.

My singular good Lord,

WHEN I heard here your Lordship was dead, I thought I had lived too long. That was (to tell your Lordship truly) the state of my mind upon that report. Since, I hear it was an idle mistaking of my Lord *Evers* for my Lord *Villiers*. God's name be blessed, that you are
F alive

alive to do infinite good, and not so much as sick or ill disposed for any thing I now hear.

I have resigned the Prince's *Seal*, and my Lord *Hobart* is placed. I made the Prince laugh, when I told him I resigned it with more comfort than I received it; he understanding me that I had changed for a better: But after I had given him that thought, I turned it upon this, that I left his state and business in good case, whereof I gave him a particular account.

The *Queen* calleth upon me for the matter of her *House*, wherein your Lordship and my Lord *Chamberlain* and I dealt, and received his Majesty's direction, so that I shall prepare a Warrant first to my Lord *Treasurer* and Mr. *Chancellor* (for that is the right way) to advise how to settle it by assignment, in case she survive his Majesty, which I hope in God she shall not.

Her desire was expressly and of her selfe, that when I had prepared a warrant to be sent to his Majesty, I should send it by your Lordship's hands.

We sit in Council, that is all I can yet say; Sir *John Denham* is not come, upon whose coming the King shall have account of our consultations touching *Ireland*, which we cannot conclude, till we have spoken with him; God ever preserve and prosper you.

It grieveth me much that I cannot hear enough of his Majesty's good disposition of health, and his pleasures, and other ordinary occurrences of his journey, I pray your Lordship will direct Mr. *Packer* to write to me sometime of matters of that kind; I have made the like request to Sir *Edward Villiers*, by whom I write this present, to whose good affection I think my selfe beholden, as I do

also

also esteem him much for his good parts, besides his nearness to your Lordship, which bindeth me above all. *Your Lordship's most faithful and devoted Friend and Servant,*

7 Apr. 1617. Fr. Bacon, C. S.

To the renowned University of Cambridge, his dear and reverend Mother.

I Am debtor to you of your letters, and of the time likewise that I have taken, to answer them. But as soon as I could chuse what to think on, I thought good to let you knowe; that although you may erre much in your valuation of me, yet you shall not be deceived in your assurance: And for the other part also, though the manner be to mend the *Picture* by the *Life*, yet I would be glad to mend the *Life* by the *Picture*, and to become and be as you expresse me to be. Your gratulations shall be no more welcome to me, than your business or occasions, which I will attend; and yet not so, but that I shall endeavour to prevent them by my care of your good. And so I commend you to God's goodness. *Your most loving and assured Friend and Sonne,*

Gorhambury, 12 Apr. 1617.

Fr. Bacon, C. S.

Letters of the Lord

From the Original.

To the Earl of Buckingham.

My singular good Lord,

I Am now for five or six days retired to my house in the countrey: For I think all my Lords are willing to do as Scholars do, who though they call them holy-days, yet they mean them play-days.

We purpose to meet again on *Easter-Monday*, and go all to the *Spittall* Sermon for that day, and therein to revive the ancient religious manner when all the Council used to attend those sermons; which some neglect in *Queen Elizabeth's* time, and his Majestie's great devotion in the due hearing of sermons himself with his Council at the Court brought into desuetude. But now our attendance upon his Majestie, by reason of his absence cannot be, it is not amiss to revive.

I perceive by a letter your Lordship did write some days since to my Lord *Brackley*, that your Lordship would have the King satisfied by presidents, that Letters Patents mought be of the dignity of an Earldom without delivery of the Patent by the King's own hand, or without the ordinary solemnities of a creation. I find presidents somewhat tending to the same purpose, yet not matching fully. But howsoever let me according to my faithful and free manner of dealing with your Lordship say to you, that since the King means it, I would not have your Lordship for the satisfying a little trembling or panting of the heart in my Lord or Lady *Brackley*, to expose your Lordship's self, or my self (whose opinion would be thought to be re-

lyed upon) or the King our master to envy with the Nobility of this Realm; as to have these ceremonies of honour dispensed with, which in conferring honour have used to be observed, like a kind of *Doctor Bullatus* without the ceremony of a commencement: The King and you know I am not ceremonious in nature, and therefore you may think (if it please you) I do it in Judgement. God ever preserve you. *Your Lordship's most faithful and devoted Friend and Servant,*

Corhambury 13 April, 1617.

Fr. Bacon, C. S.

I purpose to send the presidents themselves by my Lord of *Brackley*, but I thought fit to give you some taste of my opinion before.

*From the Original. **

To the Earl of Buckingham.

My singular good Lord,

I Pray your Lordship to deliver to his Majestie the inclosed.

I send your Lordship also the warrant to my Lord *Treasurer* and Mr. *Chancellor* of the *Exchequer* for the ^a *Queen's House*, it is to come againe to the King, when the bill is drawn for the Letters Patents: for this is onely the warrant to be signed by his Majestie.

I asked the *Queen* whether she would write to your Lordship about it; her answer was very modest and discreet, that because it proceeded wholly from his Majestie's

^a *Somerset-House.*

kyndness

kyndnes and goodnes, who had referred it, it was not so fit for her to write to your Lordship for the dispatch of it, but she desired me to thank your Lordship for your former care of it, and to desire you to continue it: And withal she desireth your Lordship not to press his Majestie in it, but to take his best times. This answer (because I like it so well) I write to you at large, for other matters I will write by the next. God ever prosper you and preserve you. *Your Lordship's most faithful and devoted Friend and Servant,*

London, 19 Apr. 1617.

Fr. Bacon, C. S.

From the Original.

To the KING.

It may please your most excellent Majestie,

MR. Vicechamberlayn hath acquainted my self and the rest of the Commissioners for the Marriage with *Spain*, which are here with your Majestie's instructions, signed by your royal hands, touching that point of the suppressing of pirates, as it hath relation to his negotiation; whereupon we met yesterday at my Lord *Admiral's* at *Chelsey*, because we were loth to draw my Lord into the air, being but newly upon his recovery.

We conceive the parts of the business are four: the charge, the confederations, and who shall be solicited or retained to come in, the forces and the distributions of them, and the enterprize. We had onely at this time conference amongst our selves, and shall appoint (after the holy days) times for the calling before us such as are fit,

fit, and thereupon perform all the parts of your royal commandements.

In this Conference I met with somewhat, which I must confesse was altogether new to me, and opened but darkly neither; whereof I think Mr. Vicechamberlayn will give your Majestie some light, for so we wished. By occasion whereof I hold it my duty in respect of the great place wherein your Majestie hath set me (being onely made worthy by your grace) which maketh it decent for me to counsel you *ad summas rerum* to intimate or represent to your Majestie thus much.

I do foresee in my simple judgement, much inconvenience to insue, if your Majestie proceed to this treaty with *Spain*, and that your Council draw not all one way. I saw the bitter fruits of a divided Council the last *Parlement*; I saw no very pleasant fruits thereof in the matter of the *Cloth*. This will be of equal if not more inconvenience; *for wheresoever the opinion of your people is material (as in many cases it is not) there, if your counsel be united, they shall be able almost to give law to opinion and rumour; but if they be divided, the infusion will not be according to the strength and virtue of the votes of your Council, but according to the aptness and inclination of the popular.* This I leave to your Majestie in your high wisdom to remedy. Onely I could wish that when Sir *John Digby's* instructions are perfected, and that he is ready to go, your Majestie would be pleased to write some formal letter to the body of your Council (if it shall be in your absence) signifying to them your resolution in general, to the end that when deliberation shall be turn'd into resolution,

Letters of the Lord

tion, no man howsoever he may retain the inwardness of his opinion may be active *in contrarium*.

The letters of my Lords of the Council with your Majestie touching the affairs of *Ireland* written largely and articulately, and by your Majestie's direction, will much facilitate our Labours here; though there will not want matter of consultation thereupon. God ever preserve your Majestie safe and happy. *Your Majestie's most devoted and obliged Servant,*

London, 19 April, 1617.

Fr. Bacon, C.S.

From the Original.

To the Earl of Buckingham.

My singular good Lord,

I Send your Lordship according to the direction of your letter, a note of the presidents that I find in my Lord *Brackley's* business; which do rather come near the case than match it. Your Lordship knoweth already my opinion, that I would rather have you constant in the matter, than instant for the time.

I send also inclosed an account of Council business by way of remembrance to his Majestie, which it may please you to deliver to him.

The *Queen* returneth her thanks to your Lordship, for the dispatch of the warrant touching her House; I have not yet acquainted the Lord *Treasurer*, and *Chancellor* of the *Exchequer* with it; but I purpose to morrow to deliver them the warrant, and to advise with them for the executing the same.

I have

I have receiv'd the King's letter with another from your Lordship, touching the cause of the Officers, and Sir *Arthur Ingram*, whereof I will be very careful to do them justice.

Yesterday I took my place in Chancery, which I hold onely from the King's grace and favour, and your constant friendship. There was much ado, and a great deal of world. But this matter of pompe, which is Heaven to some men is Hell to me, or Purgatory at least. It is true, I was glad to see that the King's choice was so generally approved; and that I had so much interest in men's good wills and good opinions, because it maketh me the fitter instrument to do my Master service, and my Friend also.

After I was set in Chancery I published his Majestie's charge which he gave me when he gave me the Seal; and what rules and resolutions I had taken for the fulfilling his commandements. I send your Lordship a * copy of that I said. My Lord *Hay* coming to take his leave of me two days before, I told him what I was meditating, and he desired me to send him some remembrance of it; and so I could not but send him another copy thereof. Men tell me it hath done the King a great deal of honour, insomuch that some of my friends that are wise men, and no vain ones, did not stick to say to me that there was not these seven years such a preparation for a Parliament; which was a commendation I confess pleased me well. I pray take some fit time to shew it his Majestie, because if I misunderstood him in any thing I may amend it, because I know his judgment is higher and deeper than mine.

I take infinite contentment to hear his Majestie is in

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* Printed in
the *Resuscita-
tio*, pag. 79.

Letters of the Lord

great good health and vigour; I pray God preserve and continue it. Thus wishing you well above all men living next my Master and his; I rest, *Your true and devoted Friend and Servant,*

Dorset-House, which putteth
me in mind to thank your
Lordship for your care of
me touching *York-House*,
8 May, 1617.

Fr. Bacon, C. S.

An account of Council business, and of other matters committed to me by his Majestie.

F*irst*, For *May-day*; at which time there was great apprehension of tumult by Prentices, and loose people, there was never such a still. The remedies that did the effect were three.

First, The putting in muster of the Trayned Bands and Military Bands in a brave fashion that way. *Next*, the laying a strait charge upon the Mayor, and Aldermen for the City, and Justices of the Peace for the Suburbs, that the Prentices and others mought go abroad with their flags and other gauderys, but without weapon of shot and pique, as they formerly took liberty to do: Which charge was exceeding well performed and obeyed. And the *last* was, that we had according to our warrant dormant, strengthen'd our Commissions of the peace in *London* and *Middlesex* with new clauses of Lieutenancy, which as soon as it was known abroad all was quiet by the terror it wrought. This I write, because it maketh good my further assurance I gave his Majestie at his first removes, that all should be quiet, for which I received his thanks.

For the *Irish* affairs, I received this day his Majestie's letter

letter to the Lords, which we have not yet opened, but shall sit upon them this afternoon. I do not forget, besides the points of state, to put my Lord *Treasurer* in remembrance, that his Majesty laid upon him the care of the improvement of the revenue of *Ireland* by all good means, of which I find his Lordship very careful, and I will help him the best I can.

The matter of the revenue of the Recufants here in *England*, I purpose to put forward by a conference with my Lord of *Canterbury*, upon whom the King layd it, and upon *Secretary Winwood*; and because it is matter of the *Exchequer*, with my Lord *Treasurer* and Mr. *Chancellor*, and after to take the assistance of Mr. *Attorney*, and the learned Counsel, and when we have put it in a frame to certify his Majesty.

The business of the Pyrates is, I doubt not, by this time come to his Majesty upon the letters of us the Commissioners, whereof I took special care; and I must say I find a Mr. *Vice-Chamberlayn* a good able man with his pen. But to speak of the main business, which is the Match with *Spain*, the King knows my mind by a former letter, that I would be glad it proceeded with an united counsel; not but that votes and thoughts are to be free: But yet after a King hath resolved all men ought to co-operate, and neither to be *active* nor much *loquitive* in *oppositum*; especially in a case where a few dissenting from the rest may hurt the business in *foro famæ*.

Yesterday, which was my weary day, I bid all the Judges to dinner, (which was not used to be) and entertained them in a private withdrawing chamber, with the

* Sir *John Digby*, afterwards Earl of *Bristol*.

learned Counſel. When the feaſt was paſſed, I came amongſt them and ſet me down at the end of the table, and prayed them to think I was one of them, and but a Foreman. I told them I was weary and therefore muſt be ſhort, and that I would now ſpeak to them upon two points: Whereof the one was, that I would tell them plainly that I was firmly perſwaded, that the former diſcords and differences between the Chancery and other Courts were but fleſh and blood, and that now the men were gone the matter was gone; and that for my part as I would not ſuffer any the leaſt diminution or derogation from the ancient and due power of the Chancery, ſo if any thing ſhould be brought to them at any time touching the proceedings of the Chancery, which did ſeem to them exorbitant or inordinate, that they ſhould freely and friendly acquaint me with it, and we ſhould ſoon agree; or if not, we had a Maſter that could eaſily both diſcern and rule. At which ſpeech of mine, beſides a great deal of thanks and acknowledgement, I did ſee chear and comfort in their faces as if it were a new world.

The *ſecond* point was, that I let them know how his Maſteſtie at his going gave me charge to call and receive from them the accounts of their Circuits, according to his Maſteſtie's former preſcript to be ſet down in writing; and that I was to tranſmit the writings themſelves to his Maſteſtie, and accordingly as ſoon as I have received them I will ſend them to his Maſteſtie.

Some two days before I had a conference with ſome Judges, (not all, but ſuch as I did chooſe) touching the High Commiſſion, and the extending of the ſame in ſome points, which I ſee I ſhall be able to diſpatch by conſent,

without

without his Majestie's further trouble.

I did call upon the Committees also for the proceeding in the purging of Sir *Edward Coke's* Reports, which I see they go on with seriously^a.

Thanks be to God, we have not much to do for matters of Council, and I see now that his Majestie is as well able by his letters to govern *England* from *Scotland*, as he was to govern *Scotland* from *England*.

^a Some time before the Lord Chief Justice *Coke* was discharged from his place in November 1616, enquiry was made by the King's command into some opinions delivered in his Reports as resolutions of the Court, which were said to be extrajudicial, and detrimental to the King's prerogative, the Church, &c. and the same being referred to the examination of a Committee, as appears at large in the introduction to, and notes on Sir *Francis Bacon's* Letters, Sir *Edward Coke* return'd his answers to the objections that were then made; but the Committee being again called upon, it is presumed all proceedings were stopped by the mediation of the Lord *Buckingham* on the treaty of a Match between his Brother Sir *John Villiers* and a Daughter of Sir *Edward Coke*.

A Note of some Presidents, as come nearest the Case of the Lord Brackley; referred to in the foregoing Letter.

THE Lord *Hay* was created Baron of *Sawley*, 28 Junii, 13 Regis, without the ceremony of robing, (as I take it) but then the Patent was (as I conceive it also) delivered to the person of the said Lord *Hay*, by the King's own hands; and again the dignity of a Baron hath incident to it onely the ceremony of *Robes*, and not the *in-enture* of the *Sword*, *Coronet*, &c.

The Duke of *Lenox* was created Earl of *Richmond* 6 Octobris 11 Regis without any the ceremonies, (as I take it) but the Patent (as I conceive it also) was delivered to the person of the said Duke with the hands of the King; and

and again in regard he was invested of the superior dignity of Duke of *Scotland*, the ceremonies were not so fit to be iterated.

King *Henry VII* created *Edward Courtney* Knight, Earl of *Devon*, 26 *Octobris* 1^o *Regni*, *Teste meipso apud Westmonasterium*, &c. whereby it may be collected that it was done without the solemnities; for that where the solemnities were performed, it hath used to be with a *hisce testibus*, and not *Teste meipso*; and whether it were delivered with the King's hand or not it appears not.

Edward VI. created *William* Earl of *Essex* Marquis of *Northampton*, 16 *Feb.* 1 *Edw. VI.* and it is mentioned to be *per cincturam gladii, cappam honoris, & circuli aurei Impositionem*, but whether the delivery was by the King's own hand *non constat*, but it was *Teste meipso* and not *hisce testibus*.

The same King created *John* Viscount *L'Isle* Earl of *Warwick* the same time, and it is mentioned to be *per cincturam gladii*, &c. but it was *Teste meipso*, and not *hisce testibus*.

Edward VI. created *Thomas* Lord *Wriothesley* Earl of *Southampton* in the same day, and in the same manner, with a *Teste meipso* and not *Hisce Testibus*. These three creations being made upon one day, and when the King was a child of about nine years old, and in the very entrance of his reign; for the Patents bear date at the Tower of *London*, doth make me conjecture that all the solemnities were performed, but whether the King endured to be present at the whole ceremony, and to deliver the Patents with his own hand, I doubt; for that I find that the ve-

ry self same day, year and place, the King created his Uncle the Earl of Hartford, to be Duke of Somerset *per cincturam gladii, Cappam Honoris, & Circuli aurei impositionem, & traditionem Virgulæ aureæ*, with a *hiscæ Testibus* and not *Teste meipso*, and with a *Datum per manus nostras*: But these things are but conjectural.

I find no presidents for a *Non obstante*, or a dispensation with the solemnities, as the Lord Brackley's bill was penned.

From the Original. ♀

To the Lord Keeper.

My honoured Lord,

I Have acquainted his Majestie with your letter, and the papers that came inclosed, who is exceedingly well satisfied with that account you have given him therein, especially with the speech you made at the taking of your place in the Chancery. Whereby his Majestie perceiveth that you have not onely given proof how well you understand the place of a *Chancellor*, but done him much right also, in giving notice unto those that were present, that you had received such instructions from his Majestie; whose honour will be so much the greater, in that all men will acknowledge the sufficiency and worthiness of his Majestie's choyce, in preferring a man of such abilitys to that place, which besides cannot but be a great advancement and furtherance to his service: And I can assure your Lordship, that his Majestie was never so well pleased, as he is with this account you have given him of this passage.

Thus

Letters of the Lord

Thus with the remembrance of my service, I rest, *Your Lordship's ever at command,*

Edinburgh, 18 May 1617.

G. Buckingham;

From the Original. ✱

To the Lord Keeper.

My very good Lord,

I Knowe your Lordship hath a special care of any thing that concerneth the *Queen*. She was entred into dislike of her Sollicitor, this bearer *Mr. Lowder*, and resolute in it. To serve, and not to please, is no man's condition. Therefore upon knowledge of her pleasure he was willing to part with his place, upon hopes not to be destituted, but to be preferred to one of the Baron's places in *Ireland*. I pray move the King for him, and let his Majestie know from me that I think (howsoever he pleased not here) he is fit to do his Majestie service in that place, he is grave and formal (which is somewhat there) and sufficient enough for that place. The *Queen* hath made *Mr. Hackwell* her Sollicitor, who hath for a long time taken much pains in her businesse, wherein she hath done well. He was an opposite in Parliament, as *Jones* was, that the King hath made *Chief Justice of Ireland*. But I hold it no ill counsel to joine, or to remove such men. God preserve and prosper you. *Your true and devoted Friend and Servant,*

Whitehall, 25 May, 1617.

Fr. Bacon, C. S.

From

From the Original.

To the Earl of *Buckingham*.

My very good Lord,

I Shall write to your Lordship of a businesse which your Lordship may think to concern my self; but I do think it concerneth your Lordship much more. For as for me, as my judgment is not so weak, to think it can do me any hurt, so my love to you is so strong, as I would prefer the good of you and yours, before mine own particular.

It seemeth Secretary *Winwood* hath officiously busied himself to make a match between your Brother and Sir *Edward Coke's* Daughter; and as we hear, he doth it rather to make a faction, than out of any great affection to your Lordship. It is true, he hath the consent of Sir *Edward Coke* (as we hear) upon reasonable conditions for your Brother, and yet no better, than without question may be found in some other matches. But the Mother's consent is not had, nor the young gentlewoman's, who expecteth a great fortune from her Mother, which without her consent is endangered. This match, out of my faith and freedom towards your Lordship, I hold very inconvenient both for your Brother, and your self.

First, He shall marry into a disgraced house, which in reason of state is never held good.

Next, He shall marry into a troubled house of Man and Wife, which in Religion and Christian discretion, is disliked.

H

Thirdly,

Letters of the Lord

Thirdly, Your Lordship will go near to loose all such your friends as are adverse to Sir *Edward Coke*, (my self onely except, who out of a pure love and thankfulness shall ever be firm to you.)

And *lastly*, and *chiefly*, (believe it) it will greatly weaken and distract the King's service; for though in regard of the King's great wisdom and depth, I am perswaded those things will not follow which they imagine; yet opinion will do a great deal of harm, and cast the King back, and make him relapse into those inconveniencys which are now well on to be recovered.

Therefore my advice is, and your Lordship shall do your self a great deal of honour; if according to religion and the law of God, your Lordship will signifie unto my Lady your Mother, that your desire is, that the marriage be not pressed or proceeded in without the consent of both Parents, and so either break it altogether, or defer any further delay in it, till your Lordship's return: and this the rather, for that (besides the inconvenience of the matter it self) it hath been carried so harshly and inconsiderately by Secretary *Winwood*, as for doubt that the Father should take away the maiden by force; the Mother to get the start hath conveyed her away secretly; which is ill of all sides. Thus hoping your Lordship will not onely accept well, but believe my faithful advice, who by my great experience in the world, must needs see further than your Lordship can, I ever rest, *Your Lordship's true and most devoted Friend and Servant*,

Fr. Bacon. C. S.

I have

I have not heard from your Lordship since I sent the King my last account of *Council* business; but I assure myself you receiv'd it, because I sent at the same time a packet to *Secretary Laque* who hath signified to me that he hath received it.

I pray your Lordship deliver to his Majestie this little note of Chancery business.

12 July. 1617.

From the Original.

To the KING.

It may please your most excellent Majestie,

I Think it agreeable to my duty, and the great obligation, wherein I am tyed to your Majestie, to be freer than other Men in giving your Majestie faithful counsel, while things are in passing; and more bound than other men in doing your commandements, when your resolution is settled, and made known to me.

I shall therefore most humbly crave pardon from your Majestie, if in plainness and no less humbleness, I deliver to your Majestie my honest, and disinterested opinion, in the business of the match of Sir *John Villiers*, which I take to be *magnum in parvo*: preserving always the laws and duties of a firm friendship to my Lord of *Buckingham*, whom I will never cease to love, and to whom I have written already, but have not heard yet from his Lordship.

But first, I have three suits to make to your Majestie, hoping well, you will grant them all.

The *first* is, that if there be any merit in drawing on that match; your Majestie would bestow the thanks not upon the zeal of Sir *Edward Coke* to please your Majestie, nor upon the eloquent persuasions or pragmatics of Mr. Secretary *Winwood*; but upon them, that carrying your commandements and directions with strength and justice, in the matter of the Governour of *Diepe*^a; in the matter of Sir *Robert Rich*; and in the matter of protecting the Lady, according to your Majestie's commandement; have so humbled Sir *Edward Coke*, as he seeketh now that with submission, which (as your Majestie knoweth) before he rejected with scorn: for this is the true Orator, that hath persuaded this businesse; as I doubt not but your Majestie in your excellent wisdom doth easily discern.

My *second* suit is, that your Majestie would not think me so pusillanimous, as that I, that when I was but Mr. *Bacon*, had ever (through your Majestie's favour) good reason at Sir *Edward Coke*'s hands, when he was at the greatest; should now that your Majestie of your great goodness, hath placed me so near your chair, (being as I hope by God's grace, and your instructions, made a servant according to your heart and hand) fear him or take umbrage of him, in respect of mine own particular.

My *third* suit is, that if your Majestie be resolved the match shall go on, after you have heard my reasons to the

^a All that I have seen relating to the difference between the Governour of *Diepe*, and Sir *Edward Coke*, is contained in a letter of Secretary *Winwood*'s to my Lord of *Buckingham*, dated the 29th of *June* this year, and in these words. "Sir *Edward Coke* hath consigned into the hands of the Lords 24,00*l.* for the satisfaction of the *French Ambassador*, in the cause which concerneth the Governour of *Diepe*."

contrary, I may receive therein your particular will and commandements from your self; that I may conform my self thereunto; imagining with my self (though I will not wager on women's minds) that I can prevail more with the Mother, than any other man. For if I should be requested in it from my Lord of *Buckingham*, the answers of a true friend ought to be, that I had rather go against his mind than against his good: but your Majestie I must obey: and besides I shall conceive that your Majestie out of your great wisdom and depth, doth see those things which I see not.

Now therefore, not to hold your Majestie with many words, (which do but drown matter) let me most humbly desire your Majestie, to take into your royal consideration, that the state is at this time not onely in good quiet and obedience, but in good affection and disposition: Your Majestie's prerogative and authority having risen some just degrees above the Horizon more than heretofore; which hath dispersed vapors: your Judges are in good temper; your Justices of peace (which is the body of the Gentlemen of *England*) grow to be loving and obsequious, to be weary of the humour of ruffling: all mutinous spirits grow to be a little poor, and to draw in their horns; and not the less for your Majestie's disauctorizing the man I speak of. Now then I reasonably doubt, that if there be but an opinion of his coming in, with the strength of such an alliance; it will give a turn and relapse in mens minds, into the former state of things, hardly to be holpen, to the great weakening of your Majestie's service.

Again, your Majestie may have perceived, that as far as
it

Letters of the Lord

it was fit for me in modesty to advise, I was ever for a Parlement, (which seemeth to me to be *cardo rerum* or *summa summarum* for the present occasions.) But this my advice was ever conditional; *that your Majestie should go to a Parlement with a council united and not distracted*: and that your Majestie will give me leave never to expect, if that man come in. Not for any difference of mine own; (for I am *omnibus omnia* for you Majestie's service) but because he is by nature unfociable, and by habit popular, and too old now to take a new plye. And men begin already to collect, yea and to conclude, that he that raiseth such a smoke to get in, will set all on fire when he is in.

It may please your Majestie, now I have said, I have done: and as I think I have done a duty not unworthy the first year of your last high favour; I most humbly pray your Majestie to pardon me, if in any thing, I have erred: for my errours shall always be supplied by obedience; and so I conclude with my prayers, for the happy preservation of your Majestie's person and estate. *Your Majestie's most humble, bounden, and most devoted Servant,*

From Gorbambury, this
25th of July, 1617.

Fr. Bacon. C. S.

From the Original.

To the Earl of *Buckingham*.

My very good Lord,

I Do think long to hear from your Lordship, touching my last Letter, wherein I gave you my opinion touching your Brother's match. As I then shewed my dislike of the matter, so the carriage of it here in the manner I
dislike

dislike as much. If your Lordship think it is humour or interest in me that leads me, God judge my sincerity. But I must say, that in your many noble favours towards me, they ever moved and flowed from your self, and not from any of your friends whatsoever: and therefore in requital, give me leave, that my counsels to you again be referred to your happiness, and not to the desires of any of your friends. I shall ever give you, as I give my Master, safe counsel and such as time will approve.

I receiv'd yesterday from Mr. Attorney the Queen's bill, which I send your Lordship. The payment is not out of lands, but out of the customs, and so it can be but the rent. Your Lordship remembreth, it is but in a case, which I hope shall never be; that is, after his Majesty's death, if she survive. God ever bless and direct you.
Your Lordship's most faithful and devoted Friend and
Servant,

Gorbambury, this 25th
 of July, 1617.

Fr. Bacon, C. S.

From the Original in the Earl of Oxford's Library.

To the KING.

It may please your most excellent Majesty,

I Dare not presume any more to reply upon your Majesty, but I reserve my Defence till I attend your Majesty at your happy return: when I hope verily to approve myself, not onely a true servant to your Majesty, but a true friend to my Lord of *Buckingham*; and for the times also; I hope to give your Majesty a good account, though
 distance

distance of place may obscure them. But there is one part of your Majestie's letter, that I could be sorry to take time to answer; which is that your Majestie conceives, that whereas I wrote that the height of my Lord's fortune might make him secure, I mean that he was turned proud, or unknowing of himself; surely the opinion I ever had of my Lord (whereof your Majestie is best witness) is far from that. But my meaning was plain and simple, that his Lordship might through his great fortune, be the less apt to cast and foresee the unfaithfulness of friends, and the malignity of enemies, and accidents of time. Which is a judgement (your Majestie knoweth better than I) that the best authors make of the best, and best tempered spirits, *ut sunt res humanæ*; insomuch that *Guicciardine* maketh the judgement (not of a particular person) but of the wisest State of *Europe*, the Senate of *Venice*; when he saith their prosperity had made them secure, and underweighers of perils. Therefore I beseech your Majestie to deliver me in this from any the least imputation to my dear and noble Lord my friend. And so expecting, that that Sun which when it went from us left us cold weather, and now it is returned towards us hath brought with it a blessed harvest; will, when it cometh to us, dispel and disperse all mists and mistakings. *Your Majesties most humble and most devoted Servant,*

July 31. 1617.

Fr. Bacon. C. S.

From

From the Original.

To the Earl of *Buckingham*.

My very good Lord,

SINCE my laſt to your Lordſhip, I did firſt ſend for Mr. *Attorney* general, and made him know, that ſince I heard from Court, I was reſolved to further the match and the conditions thereof for your Lordſhip's Brother's advancement the beſt I could. I did ſend alſo to my Lady *Hatton* and ſome other ſpecial friends, to let them know, I would in any thing declare myſelf for the match ; which I did to the end, that if they had any apprehenſion of my aſſiſtance, they might be diſcouraged in it. I ſent alſo to Sir *John Butler*, and after by letter to my Lady your Mother, to tender my performance of any good office towards the match or the advancement from the Mother. This was all I could think of for the preſent.

I did ever foreſee, that this alliance would go near to leeſe me your Lordſhip, that I hold ſo dear ; and that was the only reſpect particular to my ſelf that moved me to be as I was, till I heard from you. But I will rely upon your conſtancy and nature and my own deſerving, and the firm tie we have in reſpect of the King's ſervice.

In the mean time I muſt a little complain to your Lordſhip, that I do hear my Lady your Mother and your Brother Sir *John* do ſpeak of me with ſome bitterneſs and neglect. I muſt bear with the one as a Lady, and the other as a Lover, and with both for your Lordſhip's ſake, whom I will make judge of any thing they ſhall have againſt me. But

I

I hope

Letters of the Lord

I hope though I be a true servant to your Lordship, you will not have me to be a vassal to their passions, specially as long as they are governed by Sir *Edward Coke* and Secretary *Winwood*, the latter of which I take to be the worst; for Sir *Edward Coke*, I think is more modest and discreet. Therefore your Lordship shall do me right, and yet I shall take it for favour, if you signify to them that you have received satisfaction from me, and would have them use me friendly, and in good manner. God keep us from these long journeys and absence, which make misunderstandings, and give advantage to untruth, and God ever prosper and preserve your Lordship. *Your Lordship's true and devoted Friend and Servant,*

Gorbamby, this 23^d
of Aug. 1617.

Fr. Bacon, C. S.

From the Original. ♀

A Memorial for your Majestie.

ALthough I doubt not but your Majestie's own memory and care of your affaires, will put you in mind of all things convenient, against you shall meet with your Council, yet some particulars I thought it not unfit to represent unto your Majestie; because they passed the labour of your Council.

I. Some time before your departure, here was delivered unto you by the Officers of your Exchequer, a computation of your revenue and expence, wherein was expressed that your revenue ordinary, was not only equal to your expence, but did somewhat exceed it, though not much.

In

In this point, because the halfe yeare will now be expired at *Michaelmas*, it shall be fit, that your Majestie call to accompt, whether that equality hath held for this halfe yeare; and if not, what the causes have been, and whether the course prescribed hath been kept, that the ordinary expence hath been born out of the ordinary revenue, and the extraordinary only out of such money as hath come in by extraordinary meanes, or else your state cannot clearly appeare.

II. To maintaine this equality, and to cause your Majestie's state to subsist in some reasonable manner till farther supply might be had, it was found to be necessary that 200,000 *l.* of your Majestie's most pregnant and pressing debts should be discharged; and after consideration of the meanes how to doe that, two wayes were resolved on. One that 100,000 *l.* should be discharged to the Farmers of your customes by 25,000 *l.* yearely, they haveing for their security power to defalke soe much of their rent in their own hands: But because if that should be defalked, then your ordinary should want of soe much, it was agreed that the Farmers should be paid the 25,000 *l.* yearely in the sale of woods.

In this point it is fit for your Majestie to be informed what hath been done, and whether order hath been taken with the Farmers for it, and what debts were assigned to them soe to discharge; for of the particulars of that course I never heard yet.

And because it is apparent that the woodfalls this yeare doe not amount to halfe that sum of 25,000 *l.* your Majestie is to give charge that consideration be had how the same shall be supplied by some other extraordinary

Letters of the Lord

for the present yeare, or else here will follow a fracture of the whole assignments.

Item, Your Majestie may please to call for information how that money raised upon the woodes is employed, soe much as is already received, and to be wary that noe part hereof be suffered to goe for extraordinaries, but to be employed only for the use for which it is assigned, or else a greater rupture will follow in your assignments.

Item, A special consideration is to be had what course shall be taken for the rest of the yeares with the wood sales for supply of this 25,000*l.* yearly.

III. The other hundred thousand pounce was agreed to be borrowed, and an allotment made by my Lords of the Council at the table, how the same should be employed, and for what special services, whereof I deliver to your Majestie herewith a copy.

In which point it may please your Majestie to cause your selfe to be informed how that allotment hath been observed, and because it is likely that a good part of it hath gone towards the charges of this your journey to *Scotland*, (at least soe it is paid) your Majestie is to call for the particulars of that charge, that you may see how much of that hundred thousand it taketh up.

And then consideration is to be had how it may be supplied with some extraordinary comings in, as namely the monies to come from the Merchant Adventurers, that the same be allotted to none other use, but to performe this allotment, that soe the foundation laid may be maintained, or else all will be to seek, and if there be any
other

other extraordinary meanes, to come to your Majestie that they may be reserved to that use.

And because care must be had to keep your credit in *London*, for this money borrowed, your Majestie may please to call for information what is done in the matter of the forrests, and what sum, and in what reasonable time, is like to be made thereof.

The Extraordinaryes which it is like will be alleadged for this year :

Your Majestie's journey into *Scotland*.

The Lord *Hay*'s imployment into *France*.

The Lord *Roos* into *Spain*.

The Baron *de Tour* extraordinary from *France*.

Sir *John Bennet* to the *Archduke*.

The enlarging of your parke at *Theobalds*.

Sir *John Digby*'s sending into *Spain*.

Of all which when your Majestie hath seen an estimate what they amount unto, and what money hath been already delivered towards them, which I fear will fall to be out of the moneys borrowed at *London*. Then is it to be considered what extraordinaryes are any ways to come in, which may supply these extraordinaryes laid out, and be employed for the uses for which the moneys borrowed were intended.

From the Original.

To the Earl of Buckingham.

My ever best Lord, now better than your self,

YOUR Lordship's pen or rather pencil hath pourtrai-
ed towards me such magnanimity and nobleness and
true

Letters of the Lord

true kindnes; as methinketh I see the image of some ancient virtue, and not any thing of these times. It is the line of my life, and not the lines of my letter that must expresse my thankfulness: Wherein if I fail, then God fail me, and make me as miserable as I think my self at this time happy by this reviver, through his Majestie's singular clemency, and your incomparable love and favour. God preserve you, prosper you, and reward you, for your kindness to, *Your raised and infinitely obliged Friend and Servant,*

22 Sept. 1617.

Fr. Bacon, C. S.

From the Original.

To the Earl of Buckingham.

My very good Lord,

I Send your Lordship the certificate touching the inrollement of Prentices. We can find no ground for it by law. My self shall ever be ready to further things that your Lordship commendeth, but where the matter will not bear it, your Lordship I know will think, not the worse, but the better of me, if I signify the true state of things to your Lordship; resting ever *Your Lordship's true Friend and devoted Servant,*

*York-house this 29th of
October 1617.*

Fr. Bacon, C. S.

The Certificate.

A Ccording to his Majestie's command signified by your Lordship's letters, we have advisedly considered of the

the

the petition touching the inrollement of Apprentices indentures, and heard the petitioners Counsel, and do find as followeth :

1. That the Act of Parlement 5^o Eliz. doth not warrant the erecting of an office to inrolle such indentures in Cities, Towns corporate, or Market towns. But if any such inrollement should be, it must be by the Officers there, who are assigned to perform fundry other things touching Apprentices and Servants.

2. That in Countrey villages (for which the fuit carries most colour) we cannot give the suiters hope, that any profit will be there made warrantable by law.

Thus we have (according to our duties) certified our opinions of this petition, submitting the same nevertheless to his Majestie's great wisdom, and rest, *At your Lordship's command,*

Fr. Bacon, C. S. H. Montague. Tho. Coventry.

25 Octob. 1617.

From the Original.

To the Earl of Buckingham.

My very good Lord,

THE liking which his Majestie hath of our proceeding concerning his household, telleth me that his Majestie cannot but dislike the declining and tergiversation of the inferiour Officers; which by this time he understandeth.

There be but four kinds of Retrenchments. 1. The union of tables. 2. The putting down of tables. 3. The abatement

batement of dishes to tables. 4. The cutting off new diets and allowance lately raised; and yet perhaps such as are more necessary than some of the old.

In my opinion the first is the best and most feasible. The Lord *Chamberlain's* table is the principal table of state. The Lord *Steward's* table I think is much frequented by *Scottish* Gentlemen. Your Lordship's table hath a great attendance; and the *Groom* of the Stole's table is much resorted to by the Bedchamber. These would not be touched: But for the rest (his Majestie's case considered) I think they may well be united into one.

These things are out of my element, but my care runneth where the King's state most laboureth. Sir *Lionel Cranfield* * is yet sick, for which I am very sorry; for methinks his Majestie upon these tossings over of his business from one to others hath an apt occasion to go on with Subcommittees. God ever preserve and prosper you.
Your Lordship's true Friend and devoted Servant,

York-House, 19 Nov. 1617.

Fr. Bacon, C. S.

* Sir *Lionel Cranfield* was bred a Merchant in the city of *London*, introduced to the King's knowledge by the Lord *Northampton*, and into his service by the Earl of *Buckingham*, being the great projector of reforming the King's household, advancing the Customs, and other services, for which the King created him Lord *Cranfield*, Earl of *Middlesex*, and afterwards Lord High *Treasurer*: But being accused by the Commons in Parliament of misdemeanors in his office, he was severely sentenced by the Lords in the year 1624.

From the Original. ♀

To the Lord Keeper.

My Honourable Lord,

HIS Majestie commandeth me to write to your Lordship, that he wonders your hand being at that

that letter of the Lords of the Council, which he saith is a very blunt one, you have not besides sent him some advice of your own, his Majestie having only intrusted you to speak with Sir *Lionel Cranfeild* about his estate. *Your Lordship's faithful Friend and Servant,*

Newmarket 19, Nov. 1617.

G. Buckingham.

From the Original.

To the Earl of Buckingham.

My very good Lord,

Yesterday at afternoon were read at the Table his Majestie's two letters, written with his own hand, the matter worthy the hand. For they were written *ex arte imperandi*, if I can judge; and I hope they and the like will disenchaunt us of the opinion, which yet sticks with us, that to day will be as yesterday, and to morrow as to day, so as there will be (as he saith) *Acribus initiis, sine incurioso*^a.

I hold my opinion given in my former letter, that the uniting of some tables, is the most passable way; but that is not all: for when that is done, the King may save greatly in that which remaineth. For if it be set down, what tables shall be fixed, and what diet allowed to them: My Steward (as ill a *mesnager* as I am) or my Lord Mayor's Steward can go near to tell, what charge will go near to maintain the proportion. Then add to that some large

^a One of the letters here mentioned to be writ by the King, is printed in the *Cabala*. In the other I suppose his Majestie apprehends that the vigour the Council at first shewed in reducing the charge of his household, would not be of long continuance. It being observ'd by *Tacitus*, in the words here cited, to be a thing not unusual in publick affairs, *that violent beginnings had negligent conclusions*.

allowance for waste, (because the King shall not leese his prerogative to be deceived more than other men) and yet no question there will be a great retrenchment. But against this last abatement will be fronted the payment of arreres. But I confesse, I would be glad that I might see, or rather, that a Parliament may see, and chiefly that the King (for his own quiet) may see, that upon such a sum payed, such an annual retrenchment will follow: for things will never be done in act, except they be first done in conceit.

I know these things do not pertain to me; for my part is; *to acquit the King's office towards God by administration of justice, and to oblige the hearts of his people to him by the same, and to maintain his prerogative.* But yet because it is *in hoc*, that the King's case laboureth, I cannot but yield my care and my strength too, in counsel, such as it is, which cannot be so much as it was between our *Lady-day* and *Michaelmas* last. But whatsoever it is, it is wholly his Majestie's, without any deflexion.

As soon as I find any possibility of health in Sir *Lyonel Cranfield*, to execute a Subcommiffion; I will by conference with him frame a draught of a letter from his Majestie, for which there is the fairest occasion in the world. And the King hath prepared it as well as possible. God ever preserve and prosper you. *Your Lordship's true Friend and devoted Servant,*

York-House, 22 Nov. 1617.

Fr. Bacon, C. S.

From

From the Original. ‡

To the Earl of Buckingham.

My Lord,

HOW well I wish to Sir Gilbert Haughton, himself I dare say doth not doubt, partly out of mine own affection, and chiefly for your Lordship's affection towards him, which to me is more than myne own. That the King should make bargaines of hope, when his treasure sufficeth not for his own charge, I may not advise for my dearest friends; for I am nayled to the King's estate. But two things I shall assent unto; the one, that if the King can redeem his works without charge of Officers, I shall be glad of it, both for the Gentleman's sake, and because I perceive the uniting of the allome works in the King's hand is best; the other, that if his Majestie be pleased to signify his pleasure to my Lord *Treasurer* and me, that there be no forfeiture taken by *Banister* till the King shall advise of this bargaine, we will hold him to it. God preserve and prosper your Lordship, your Lordship I think perceiveth both by scribling and cursory inditing, that I write in straights of businesse. *Your Lordship's true Friend,*
and devoted Servant,

York-House, this 24th of Nov. 1617.

Fr. Bacon, C. S.

From the Original.

To the Earl of Buckingham.

My very good Lord,

I Send your Lordship a draught of a letter touching the subcommiſſion written in wide lines, because it may

Letters of the Lord

be the better amended by his Majestie. I think it is so penned as none can except to it, no nor imagin any thing of it. For the household busines, there was given a fortnights day : for the pensions, the course which I first propounded of abating of a third throughout, and some wholly seemeth well entered into. These be no ill beginnings. But this course of the subcommiffion thriddes all the King's busines. God ever preserve and prosper you.
Your Lordship's true Friend and devoted Servant,

York-House, 27 Nov. 1617.

Fr. Bacon, C. S.

Sir *Lyonel Cranfield* is now reasonably well recovered.

Draught of the Subcommiffion.

My Lords,

IN this first and greatest branch of our charge concerning our house ; we do find what difficulties are made, and what time is lost, in disputing of and devising upon the manner of doing it ; whereof the matter must be, and is so fully resolved. Neither can we but see in this, as in a glasse, the like event to follow in the rest upon like reason. For the inferiour Officers in every kind, who are best able for skill to propound the retrenchments, will out of interest or fearfulness make dainty to do service ; and that which is done with an ill will, will never be well done. Again, to make it the act of the whole Table, for the particular propositions and reckonings, will be too tedious for you, and will draw the busines it self into length ; and to make any particular Committees of your selves, were to impose that upon a few, which requireth to be carried indifferently as the act of you all. For since

the

the great Officers themselves think it too heavy for them, as our state now is, to deal in it, without bringing it to the Table; with much more reason may any particular persons of you be loth to meddle in it, but at the Board. In all which respects we have thought fit, (neither do we see any other way) that you send unto us the names of the Officers of our Exchequer, and our Custom-house, and Auditors, out of which we will make choice of some few, best qualified, to be subcommittees for the better ease and the speeding of the business by their continual travails and meetings: whose part and employment we incline to be to attend the principal Officers in their several charges, and join themselves to some of the inferiour Officers, and so take upon them the mechanick and laborious part of every business, thereby to facilitate and prepare it, for your consultations, according to the directions and instructions, they shall receive from you from time to time.

2 December 1617. The Earl of Buckingham writes, that the King approves of the Lord Keeper's thoughts of the Subcommission.

From the Original. ✽

To the KING.

May it please your Majestie,

BEing yesterday assembled in Council to proceed in the course we had begun for retrenchment of your Majestie's expences; we received your princely letters, whereby we are directed to send to your Majestie the names of the Officers of the Exchequer, Customhouse and Auditors, out of which you purpose to make choise of some to be subcommitted to handle the mechanick and laborious

part of that which your Majestie had appointed to our care; we have according to our duty sent unto your Majesty the names of the severall Officers of your Majestie in those places, to be ordered as your wisdom shall think best to direct. But withal, we thought it appertenant to our duties to inform your Majestie how far we have proceeded in the severall heads of retrenchments by your Majestie at your departure committed unto us, that when you know in what estate our labours are, your judgment may the better direct any further course as shall be meet.

The matter of the household, was by us some days since, committed peremptorily to the Officers of the house, as matter of commandement from your Majestie, and of duty in them, to reduce the expence of your house to a limited charge of fifty thousand poundes by the yeare, besides the benefit of the compositions: and they have ever since painfully (as we are informed) travailed in it, and will be ready on *Sunday* next, which was the day given them, to present some models of retrenchments of divers kinds, all ayming at your Majestie's service.

In the point of pensions we have made a beginning, by suspending some wholly for a time, and of others of a third part; in which course we are still going on, until we make it fit to be presented to your Majestie; in like manner the Lord *Chamberlain*, and the Lord *Hay* did yesterday report unto us, what their travail had ordered in the Wardrobe: and although some doubt did arise unto us whether your Majestie's letters intended a stay of our labours, until you had made choice of the Subcommittee intended by you. Yet presuming that such a course by Subcommittee was purposed rather for a furtherance, than
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lett to that worke, wee did resolve to goe on still till your
Majestie's further directions shall come unto us; and then
according to our duty we will proceed, as we shall be by
your Majestie commanded; in the mean time, we thought
it our duty to inform your Majestie of what we have done,
that neither your Majestie may conceive that we have been
negligent in those things which were committed unto us,
nor your directions by your late letters hinder or cast back
that, which is already so far proceeded in. And soe hum-
bly kissing your royal handes, and praying to the Al-
mighty for your long and happy raigne over us, we rest,
Your Majestie's most humble and obedient Subjects and Ser-
vants,

5 Dec.
1617.

G. Cant.	Fr. Bacon.	C. S.	T. Suffolke.
E. Worcester.	Lennox.		Pembroke.
T. Arundel.	W. Wallingford.		L. Elie ⁿ .
E. Wotton.	James Hay.		T. Edmondes.
T. Lake.	Jul. Cæsar.		Edw. Coke.
			C. Edmondes.

From the Original. ‡

To the Marquis of Buckingham.

My very good Lord,

I Write now only, rather in a kind of continuance and
fresh suite, upon the King's businesse, than that the
same is yet ripe, either for advertisement or advice.

The Subcommissioners meet forenoon and afternoon,
with great diligence, and without distraction or running
several waies, which if it be no more than necessary,
3 what

what would les have done? that is, if there had been no Subcommiffioners, or they not well chofen?

I fpeake with Sir *Lyonel Cranfield*, as caufe requireth either for account or direction, and as far as I can, by the tafte I have from him, difcern, probably their fervice will attaine, and may exceed his Majeftie's expectation.

I do well like the courfe they take, which is in every kind to fet down (as in beere, in wine, in beef, in muttons, in corn, &c.) what cometh to the King's ufe, and then what is fpent, and laftly what may be faved. This way though it be not fo accusative, yet it is demonstrative. *Nam rectum est index fui & obliqui*, and the falfe manner of accompting, and where the gayn cleaveth, will appear after by confequence. I humbly pray his Majeftie to pardon me for troubling him with thefe imperfect glances, which I do, both becaufe I know his Majeftie thinketh long to underftand fomewhat, and left his Majeftie fhould conceive, that he multiplying honours and favours upon me, I fhould not alfo increafe and redouble my endeavours and cares for his fervice. God ever blefs, preferve and prosper his Majeftie and your Lordfhip, to whom I ever remayn, *Your true Friend and moft devoted Servant*,

16 Jan. 1617.

Fr. Bacon, C. S.

In answer to this letter, the Earl writes on the 24th of *January* from *Newmarket*, that the King likes very well of Sir *Lyonel Cranfield's* proceedings in the bufineffe of the houfhould, and is glad it is approved by his Lordfhip, of whose care and pains therein, he receiveth very good fatisfaction.

From

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Thought fit by this my private letter to your Lordship, to give you an account of such business, as your Lordship hath recommended unto me ; that you may perceive that I have taken that care of them I ought, and ever shall in those things you recommend or remit to me.

For the suit of the *Alehouses* which concerneth your Brother Mr. *Christopher Villiers*, and Mr. *Patrick Mawle*, I have conferr'd with my Lord Chief Justice, and Mr. Solicitor thereupon, and there is a scruple in it, that it should be one of the Grievances put down in Parliament ; which if it be, I may not in my duty and love to you, advise you to deal in it ; if it be not, I will mould it in the best manner and help it forward. The stay is upon the search of the Clerk of the Parliament, who is out of town ; but we have already found, that the last grievance in 7^{mo}. is not the same with this suit ; but we doubt yet of another in 3^o.

For the business of Mr. *Leviston*, for your Lordship's sake, (who I perceive keeps your noble course with me, in acquainting me with these things) I shall apply my self unto you ; though in my nature I do desire that those that serve in the Court where I sit, though they be not in places of my gift, and so concerns not me nor my place in profit ; yet I wish, I say, I might leave them in as good case as I find them. And this suit concerneth the main profit of the Six Clerks, who though they be of the

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Master

Letters of the Lord

Master of the Rolls his gift, yet they serve in my Court. But my greatest doubt is, that the grant cannot be good in law; and that it is not like those other presidents, whereof I have received a note. For the difference is, where things have been written by all the Clerks indifferently and loosely, (in which case the King may draw them into an Office) and where they have appertained to one especial Office: in which case the King can no more take away the profits of a man's Office, than he can the profits of his land. Therefore I think your Lordship may do well, to write to Mr. Solicitor and Serjeant *Finch*, or some other Lawyers that you trust, or such as Mr. *Lewiston* trusteth, being persons of account, to inform you of the point in law, before you proceed any farther: for without that all is in vain.

For the business of *Hawkyns* touching the Register for the commission of Bankrupts. I am not yet satisfied likewise for the law, nor for the conveniency, but I rather incline to think it may pass, and I have set it in a course by which I may be thoroughly informed.

For Sir *Rowland Egerton's* cause, and his Lady's, the parties have submitted themselves unto me, and are content to do it by bond, and therefore I will undoubtedly make an end of it according to justice and conscience.

For Sir *Gilbert Houghton's* business I am in very good hope to effect your Lordship's desire for his good.

For *Moor's* business, concerning the printing of Books, after hearing all parties, I have sealed his patent, but for his former patent of Salt I dare not do it, without acquainting the Council therewith, which I am ready to do, if he require that course to be taken.

If his Majestie at any time ask touching the Lord Clifton's business, I pray your Lordship represent to his Majestie thus much, that whatsoever hath passed, I thank God, I neither fear him, nor hate him; but I am wonderful careful of the seat of Justice, that they may still be well muned; being principal sinews of his Majestie's authority. Therefore the course will be (as I am advised) that for this heinous Misprision that the party without all colour or shadow of cause, should threaten the life of his Judge, and of the highest Judge of the Kingdom next his Majestie) he be first examined, and if he confess it, then an *ore tenus*; if he confess it not, then an information in the Star-chamber, and he to remain where he is till the hearing. But I do purposely forbear yet to have him examined, till the decree or agreement between him and my Lord Aubigny (which is now ready be perfected) lest it should seem an oppression by the terror of the one, to beat him down in the other. Thus I ever rest, *Your Lordship's true Friend, and devoted Servant,*

York-House,
25 Jan. 1617.

Fr. Bacon, Canc.

From the Original. ✽

To the Lord Chancellor.

My Honourable Lord,

I Have received your Lordship's letters, wherein I see the continuance of your love and respect to me, in any thing I write to you of, for which I give you Lordship many thanks, desiring nothing for any man but what you shall find just and convenient to pass; I am very glad to

Letters of the Lord

understand that there is so good hope of Sir *Gilbert Houghton's* business, which I must needs ascribe to your Lordship's great favour toward him for my sake, which I will ever acknowledge. If his Majestie at any time speak of the Lord *Clifton's* business, I will answer according to that your Lordship hath written, &c. *Your Lordship's faithful Servant,*

*Newmarket, the last of
January, 1617.*

G. Buckingham.

From the Original.

To the KING.

It may please your most excellent Majestie,

Finding as well by your Majestie's dispatches and directions to your Council, as now by speech with Mr. Secretary *Laque*, that your Majestie is content to be troubled with business of fundry natures; I thought good according to the duty of my place, and the necessity of the occasion, to put your Majestie in mind, that on this day se'nnight, being *Friday* in the Morning, I am according to custom to give a charge and admonition to the Judges and Justices of Peace now before the Circuits; wherein I am humbly to crave your Majestie's pleasure and directions.

I have for your Majestie's better ease set down the heads, which by the prescript of your book, and out of the consideration of the present times, I have thought fittest to be remembred. I have also sent your Majestie the last account of the Judges circuits, not to trouble you with the reading of them all; but to the end that if upon my memorial, or otherwise out of your Majestie's own memory,

which

which is above memorials, you should have occasion to resort to those accounts, the papers may be by you.

The point of greatest weight in my opinion, is the carrying of a ballanced hand at this time in the matter of Recusants, in regard of the treaty with *Spain*: For it were good in respect of your people, that there were no note made that the string is relaxed, and in respect of the Treaty, that it is not strained; and therefore that the proceeding in those causes be rather diligent than severe.

I am wonderful glad to hear that this extremity of weather, which I think the *Muscovite* hath brought with him, hath not touched your Majestie, whose health and ease is far dearer to me than my life with all the appurtenances. God ever preserve and prosper you. *Your Majesty's most faithfull and most obliged Servant,*

This Friday morning the sixth
of February, 1617.

Fr. Bacon, *Canc.*

Your Majestie will be pleased your answer be with me on Thursday at noon, or soon after it.

From the Original. ♀

To the Lord Chancellor.

My honourable Lord,

I Have acquainted his Majestie with your letter to me, and delivered likewise to him the letter and other things directed to his Majestie, who hath commanded me to return this answer to them all.

First, for your memorial of your Charge to the Judges, he liketh it so well, that he findeth nothing either to be added or diminished, and was so well satisfied therewith, that

that he accounteth it needles to read the other papers, but sealed them up again, and sendeth them back to your Lordship without reading them. Onely in the point of Recusants his Majestie is of the quite contrary opinion to you; for though he would not by any means have a more severe course held, than his laws appoint in that case, yet sith the many reasons why, there should be no mitigation above that which his laws have enacted, and his own conscience telleth him to be fit. As first, the *Papists* in his Kingdom have taken such heart upon the Commission given to Sir *John Digby* touching the match with *Spain*, that they have sent copies thereof privately up and down, and are so lifted up in their hopes of what they desire, that his Majestie cannot but take a more severe course (as far as by his laws he may) than hitherto he hath done. Besides when they shall see a harder hand carryed toward them than hath been accustomed, his Majestie assureth himself they will employ all their means to further the match, in hope of mitigating of that severity when it shall be accomplished. And though these reasons were not, his Majestie would account it a baseness in a Prince to shew such a desire of the match, as to slack any thing in his course of government, much more in propagation of the religion he professeth, for fear of giving hindrance to the match thereby. And so with many thanks for your favours to my Brother in his business, I rest, *Your Lordship's faithful Servant,*

New-market, 8 Feb. 1617.

G. Buckingham.

From

From the Original.

To the Marquis of Buckingham.

My very good Lord,

MR. *Chancellor* of the Exchequer hath signified to me this day, that yesterday his Majestie called him to his coach and said to him, that one that had used ill speech of me should be called before me, and make his submission to me; and thereupon be called before the Council, and receive a sharp reprehension and so be enlarged. And Mr. *Chancellor* could not tell me who the person was, but after by some letter he received from my Lord *Clifton*, and speech with a man of his, he perceived it was he.

I pray your Lordship in humbleness to let his Majestie know, that I little fear the Lord *Clifton*, but I much fear the example, that it will animate Ruffins and Rodomonti extremely against the seats of Justice, (which are his Majestie's own seats) yea and against all authority and greatness, if this pass without publick censure and example; it having gone already so far as that the person of a Baron hath been committed to the Tower. The punishment it may please his Majestie to remit, and I shall not formally but heartily intercede for him, but an example (setting my self aside) I wish for terror of persons, that may be more dangerous than he, towards the least Judge of the Kingdom.

Therefore it may please his Majestie to speak of it with my self and my Lords when he cometh next, and in the mean time, I will command from his Majestie, the *Master* of the Rolls and Mr. *Attorney*, who were appointed by

Letters of the Lord

by the table to examine him, to stay. God ever prosper you ^a. *Your Lordship's true Friend and devoted Servant,*

17 March, 1617.

Fr. Bacon, *Canc.*

^a The Lord *Clifton* was committed to the *Tower*, for saying that he was sorry he had not stabbed the Lord Chancellor for making a decree against him, and in *October* 1718, dyed by his own hands.

From the Original. ‡

To the Marquis of Buckingham.

My very good Lord,

WE have sat once upon the Commission of *Treasure* to no ill purpose, as may appear by the account inclosed; wherein his Majestie will find no preposterous issue of treasure: Mr. *Chancellor* imagines well, *Coke* seeks and beates over, as well where it is not, as where it is; Secretary *Nauntton* forgets nothing. I will look to bow things to the true ends. God blefs and prosper his Majestie and your self. *Your Lordship's most obliged Friend, and faithful Servant,*

25 July, 1618.

Fr. Verulam, *Canc.*

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Pray your Lordship to signifie to his Majestie, that I thought it my duty to stay at the Seal, a Book of Sir *Francis Steward's*, and Sir *James Auterlony*, &c. of 200*l.* land in charge in fee-simple. My reasons:

First,

First, It is a perpetuity, and so much rent in diminution of revenue certain.

Secondly, The warrant (as is acknowledged) came only from my Lord of *Suffolke*, and not from Mr. *Chancellor*: and yet my Lord was wont to boast, that since he was *Treasurer*, all commissions and contracts for sale of the King's land were broken off and ceased.

Thirdly, The rate of the monies paid by the Gentlemen, amounteth but to thirteen years purchase, which is a plain gift of a good proportion of value.

If his Majestie now inform'd, iterate his mandate, it is done, and I excused; but I could wish his Majestie would refer it to the Commissioners of the *Treasury*, how the Gentlemen may be otherwise satisfied.

I received yesternight a brave account of the Commission of the *Wardes* in *Ireland*; which this one year is advanced from 200 *l. per annum* to 4000 *l.* which is twenty fold multiplied. This I write for two reasons. first, because I glory in it, because it was my work wholly: next, because his Majestie may take occasion by this to look better to the improvement of his *Wardes* in *England* in due time. God ever preserve and prosper you. *Your Lordship's most obliged Friend and faithful Servant,*

York-House, 27 July 1618.

Fr. Verulam, *Canc.*

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From

Letters of the Lord

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Am very glad to hear of the honour his Majestie intendeth to my noble Lady, your Lordship's Mother. This amongst many other things, sheweth in your Lordship good nature, which is the root of all virtues, next Religion. Besides it doth sort well in states, when place and power do meet, and stand not too farre at distance ^a.

For the passing of it by direction without bill signed, it cannot be in law. So is Mr. *Attorney's* opinion, and so is mine; and therefore there is presently a Bill sent with an indorsement of passing it by immediate warrant, and this antedate.

For the antedate, I must present his Majestie with my caution, and with my obedience.

* 18 H. 6th. cap. 1. For the * Statute tyeth me from antedates; and indeed the mischief is infinite: for by that means the King may grant any land, &c. and take it away a month hence, and grant it another by an antedate. And surely were it land or the like I would not say *absit*, or *your Majestie cannot do it*, for a world: or, *your Majestie is sworn*, and *I am sworn*; or such brave phrases, but surely (I say) I would in humbleness represent it to his Majestie.

But the case of honour differeth: for therein his Majestie's prerogative and declaration is absolute, and he may

^a The advancement of this Lady to the title of Countess of *Buckingham*, was notwithstanding the reasons here alledged, so ill resented by the House of Commons in 1626. that in the 11th article of their impeachment of the Duke her son, it was objected against him as one of his offences.

make him that is laſt to be firſt. And therefore upon his Maſteſtie's ſignification of his pleaſure upon the indorſement of the bill ſigned, I take it, I may lawfully do it.

I am herè rejoicing with my neighbours the Towns men of *St. Albans* for this happy day the 5th of *Auguſt* 1618,*
Your Lordſhip's moſt obliged Friend and faithful Servant,

Gerhambury.

Fr. Verulam, *Canc.*

* The 5th of *Auguſt* being the anniversary of the King's deliverance from the Earl of *Gowry's* conſpiracy, was by ſome called the Courtholyday, and ridiculed as a fiction; though the truth thereof being delivered down by Archbiſhop *Spotſwood*, and other good hiſtorians, I ſee no reaſon to call it into queſtion.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Thank your Lordſhip for your laſt loving letter. I now write to give the King an account of a Patent I have ſtayed at the ſeal. It is of licence to give in *Mortmain* eight hundred pound land, though it be of *tenure in chief* to *Allen* that was the Player, for an Hoſpital.

I like well that *Allen* playeth the laſt act of his life ſo well; but if his Maſteſtie give way thus to *amortize* his tenures, his Courts of *Wards* will decay, which I had well hoped ſhould improve.

But that which moved me chiefly is, that his Maſteſtie now lately did abſolutely deny Sir *Henry Savile* for 200*l.* and Sir *Edward Sandys* for 100*l.* to the perpetuating of two lectures, the one in *Oxford*, the other in *Cambridge*, foundations of ſingular honour to his Maſteſtie (the beſt learned of Kings) and of which there is great want; where-

as Hospitals abound; and Beggars abound never a whit the less.

If his Majestie do like to pass the book at all; yet if he would be pleased to abridge the 800*l.* to 500*l.* and then give way to the other two books for the Universities, it were a princely work. And I would make an humble suit to the King, and desire your Lordship to joyn in it, that it mought be so. God ever preserve and prosper you.
Your Lordship's most obliged Friend and faithful Servant,

York-house this 18th of
August, 1618.

Fr. Verulam, *Canc.*

I have written to my Lord *Chamberlain* being *Chancellor* of *Oxford*, to help in the businesse.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

WHat passed in your Lordship's presence, your Lordship can tell, touching the Navy. The morrow following we concluded in approbation of the bookes, save in one poynt, touching the number convenient for manning the ships, wherein the number allowed by the Commissioners, had in my judgement a little of the Merchant, for to measure by so many as were above dead pays, is no good argument. For the abuse of dead pays is to be amended, and not the necessary number abated. In this his Majestie may fall upon a middle proportion between that of the Commissioners and that of the Officers.

It were good, now the three bookes which we have appointed

pointed to be ingrossed into one leidger-book are affirmed, there were a short book of his Majestie's royal directions, and orders thereupon, extracted.

For the Commission of the *Treasury*, I perswade my self, they are of the first hours that have been well spent in that kind. We have put those particulars whereof his Majestie gave us charge into a way.

Bingley's information will be to good purpose, and we find another of like nature revealed to Mr. *Secretary* and my self. God ever prosper you. *Your Lordship's most obliged Friend and faithful Servant,*

9 October 1618.

Fr. Verulam, Canc.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

Looking for matter of service, I have found out a suit for my self; and it is proper for me more than all men, because it is within the accompt of the *Hamper*. But I have made a law to my self, that I will never beg any thing, which shall not bring a gain to the King. Therefore my suit is to farm the profits of the *Alienations*, yielding a thousand pound a year more to the King than hath been yielded *communibus annis* by a medium of seven years. If the King be pleased to grant me this, it will a little warm the honour he hath given me; and I shall have a new occasion to be, as I ever have been, and shall be, *Your Lordship's obliged Friend and faithful Servant,*

York-House, 9 Oct. 1618.

Fr. Verulam, Canc.

From

Letters of the Lord

From the Original.

To the Marquis of Buckingham.

My very good Lord,

THIS morning Mr. *Attorney* came to me and desired of me many writs of *Ne exeat regnum* against most of the *Dutch* Merchants, and withal let me understand that there was a discovery of an infinite transportation of gold and silver out of this realm by the said *Dutch* Merchants, amounting to millions; and that Sir *John Britten* had made a book thereof, and presented the same to his Majesty; and further that his Majesty had directed him to prosecute the same, and had also given Sir *Thomas Vavisor* the forfeiture of such ten of them as he should choose.

Hereupon I thought it my duty, as in a matter of great weight, to signifie to his Majesty by your Lordship what I conceive.

The discovery I think very happy. For if it be true, it will be a great benefit to his Majesty: It will also content his People much, and it will demonstrate also that *Scotland* is not the Leech (as some discourfers say) but the *Netherlanders* that suck the realm of treasure: So that the thing is very good.

But two things I must represent to his Majesty: The first, that if I stay Merchants from their trading by this writ, I must do it either *ex officio*, or by special warrant from his Majesty.

If *ex officio*, then I must have more than a bare surmise to grant the writ upon, so as I must be acquainted with

with the grounds, or at least appearance of proofs. If by special warrant, then I desire to receive the same. The other is, that I humbly beseech his Majestie that these royal boughs of forfeiture may not be vintaged or cropped by private suitors (considering his Majestie's state as it is) but that Sir *Thomas Vavisor* or Sir *John Brittain* may have a bountiful and gracious reward of their discovery; but not the prime, or without stint.

In sum, I would wish his Majestie to refer the whole business and carriage of the same for his honour and profit to the Commissioners of Treasure, or because it is a legal forfeiture, to my self, Mr. *Chancellor*, Sir *Edward Coke*, and my Lord Chief Justice of *England*; and by us his Majestie shall be assured to know the best course for his justice, honour, and profit, and that he may dispose what bounty he will. God ever preserve and prosper you. *Your Lordship's most obliged Friend and faithful Servant,*

York-house, 19 October 1618.

Fr. Verulam, *Canc.*

From the Original. ✽

To the Lord Chancellor.

My Lord,

I Have acquainted his Majestie with your letter, who giveth you thanks for your advice to communicate the business of the *Dutchmen* to the Commissioners of the *Treasury*, which his Majestie was before purposed to refer to them, as it concerns his Treasure, for the carriage of it; and to your Lordship, and the rest named in your letter, for the relation it hath to the Law. For the proposers of
the

the fruit, his Majestie intendeth only to reward their pains as may stand with his service and his princely disposition, but to preserve the main benefit himself: all that his Majestie would have your Lordship to do for the present, is to take order about the writ of *Ne exeant regnum*; to advise with his learned Counsell what course is to be taken, and if by a warrant from his Majestie, that your Lordship send him a warrant to be signed, which shall be returned with all speed. Of other things his Majestie thinketh it will be time enough to speak at his return to *London*. In the mean time I rest, *Your Lordship's faithful Friend and Servant,*

Hinchenbroke, 21 Oct. 1618.

G. Buckingham.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

I Have this morning received the petty rolle for the Sherives. I received also the papers exhibited by Sir Miles Fleetwood, which I will use to his Majestie's best service, and thereupon give account to his Majestie when time serveth.

My care which is not dormant touching his Majestie's service, specially that of treasure (which is now *summa summarum*) maketh me propound to his Majestie a matter, which (God is my witness) I do without contemplation of friend or end, but *animo recto*.

If Sir *Edward Coke* continue sick, or keep in, I fear his Majestie's service will languish too, in those things which touch upon law; as the calling in debts, recusants, aliena-

alienations, defalcations, &c. And this is most certaine, that in these new diligences, if the first beginning coole, all will go back to the old byas. Therefore it may please his Majestie to think of it, whether there will not be a kind of necessity to add my Lord Chief Justice of *England* to the Commissioners of Treasure. This I move only to the King and your Lordship, otherwise it is a thing *ex non entibus*. God preserve and prosper you. *Your Lordship's most faithful Servant,*

From the *Star-Chamber*,
25 Nov. 1618.

Fr. Verulam, *Canc.*

P. S. I forget not *Tuiston's* cause. All things stay, and prefidents are in search.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

THIS long book which I send for his Majestie's signature, was upon a conference and consult yesterday (at which time I was assisted by the two chief Justices, and attended by the Surveyor, Attorney, and Receiver of the Court of Wards, *Fleetwood*) framed and allowed.

It is long, because we all thought fit not to piece new instructions with old instructions, but to reduce both old and new into one body of instructions. I do not see, that of the articles which are many, any could have been spared. They are plain, but they have a good property, that they will take fast hold. I may not trouble his Majestie with choosing some of them in particular, when all are good.

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Onely

Letters of the Lord

Onely I think fit to let his Majestie know of one, (which is that according to his own directions, the oath of making no private unlawful profit) is now as well translated to the Master and Officers that may take, as to the parties and fuitors that may give.

It little becometh me to possess his Majestie, that this will be to his Majestie's benefit ten thousands yearly, or fifteen thousands, or twenty thousands: For these rattles are fitter for Mountebanks of service, then grave Counsellors. But my advices (as far as I am able to discern) tend or extend but to thus much: This is his Majestie's surest and easiest way for his most good.

Sir *Miles Fleetwood*, who both now and heretofore, hath done very good service in this, meriteth to be particularly from your Lordship encouraged; which I beseech your Lordship not to forget. God ever prosper you. *Your Lordship's most faithful bounden Friend and Servant,*

This 4th of December 1618.

Fr. Verulam, *Canc.*

To the KING. ♀

May it please your most excellent Majestie,

ACcording to your Majestie's pleasure signified to us by the Lord Marquis *Buckingham*, we have considered of the fitness and conveniency of the gold and silver thread business, as also the profit that may accrue unto your Majestie.

We are all of opinion that it is convenient that the same should be settled, having been brought hither at the great charge of your Majestie's now agents, and being a means to set many of your poor subjects on work, and to this purpose

purpose there was a former certificate to your Majestie from some of us with others.

And for the profit that will arise, we see no cause to doubt; but do conceive apparent likelyhood, that it will redound much to your Majestie's profit, which we esteem may be at the least 10,000*l.* by the yeare; and therefore in a business of such benefit to your Majestie, it were good it were settled with all convenient speed, by all lawful means that may be thought of, which notwithstanding, we most humbly leave to your Majestie's highest wisdom.
Your Majestie's most humble and faithful Servants,

Fr. Verulam, *Canc.* H. Montagu. Henry Yelverton.

4 Oct 1618. the Marquis of *Buckingham* writes from *Theobalds* to the Lord Chancellor, that the King being desirous to be satisfied of the gold and silver thread business, would have his Lordship consult the Lord Chief Justice, and the Attorney and Solicitor General therein.

To the KING.

It may please your most excellent Majestie,

I Do many times, with gladness, and for a remedy of my other labours, revolve in my mind the great happiness which God (of his singular goodness) hath accumulated upon your Majestie every way; and how compleat the same would be, if the state of your means were once rectified and well ordered. Your People military and obedient, fit for war, used to peace; your Church enlightened with good Preachers, as an heaven of stars; your Judges learned, and learning from you, just, and just by your example; your Nobility in a right distance between Crown and People, no oppressors of the People,

Letters of the Lord

no over-shadows of the Crown; your Council full of tributes of care, faith and freedom; your Gentlemen and Justices of Peace willing to apply your royal mandates to the nature of their several Countyes, but ready to obey; your Servants in awe of your wisdom, in hope of your goodness: the Fields growing every day, by the improvement and recovery of grounds from the desert to the garden; the City grown from wood to brick; your Sea-walls or *pemærium* of your Island, surveyed, and in edifying; your Merchants embracing the whole compass of the world, East, West, North, and South; the Times give you peace, and yet offer you oportunities of action abroad: and lastly your excellent royal Issue entaileth these blessings and favours of God to descend to all posterity. It resteth therefore, that God having done so great things for your Majestie, and you for others; you would do so much for your self, as to go through (according to your beginnings) with the rectifying and settling of your estate and means, which only is wanting; *Hoc rebus defuit unum*. I therefore whom only love and duty to your Majestie, and your royal line hath made a *financier*, do intend to present unto your Majestie a perfect book of your Estate like a perspective glasse, to draw your estate nearer to your sight; beseeching your Majestie to conceive, that if I have not attained to do that I would do, in this which is not proper for me, nor in my element, I shall make your Majestie amends in some other thing, in which I am better bred. God ever preserve, &c.

2 Jan. 1618.

From

From the Original. ‡

To the Marquis of Buckingham.

My very good Lord,

IF I should use the Count *de Gondomar's* action, I should first lay your last letter to my mouth, in token of thanks, and then to my heart in token of contentment, and then to my forehead in token of a perpetual remembrance.

I send now to know how his Majestie doth after his remove, and to give you account, that yesterday was a day of motions in the *Chancery*. This day was a day of motions in the *Star Chamber*, and it was my hap to clear the Bar, that no man was left to move any thing, which my Lords were pleased to note they never saw before. To morrow is a sealing day; *Thursday* is the funeral day; so that I pray your Lordship to direct me whether I shall attend his Majestie *Fryday* or *Saturday*. *Fryday* hath some reliques of business, and the Commissioners of Treasure have appointed to meet; but to see his Majestie is to me above all.

I have set down *de bene esse*, *Suffolk's* cause, the third sitting next Term; if the wynd suffer the Commission of *Ireland* to be sped. I ever more and more rest, *Your Lordship's most obliged Friend and faithful Servant*,

This 11th of May 1619.

Fr. Verulam, *Canc.*

From

Letters of the Lord

From the Original. ♀

To the Lord Chancellor.

My most honourable Lord,

I Acquainted his Majestie with your letter, at the first opportunity after I received it, who was very well pleased with that account of your careful and speedy dispatch of busineses, &c. *Yours, &c.*

Greenwich, 13 May 1619.

G. Buckingham.

P.S. Your busines had been done before this, but I knew not whether you would have the *Attorney* or *Solicitor* to draw it.

From the Original. ♀

To the Lord Chancellor.

My noble Lord,

I Shewed your letter of thanks to his Majestie, who says there are too many in it for so small a favour, which he holdeth too little to encourage so well a deserving Servant. For my selfe I shall ever rejoyce at the manifestation of his Majestie's favour towards you, and will contribute all that is in me to the encreasing his good opinion, ever resting, *Your Lordship's faithful Friend and Servant,*

G. Buckingham.

From

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Send his Majestie a volume of my Lord of *Bangor's* and my Lord *Sheffield*, whereof I spake when I left his Majestie at *Theobaldes*. His Majestie may be pleased at his own good time and pleasure, to cast his eye upon it. I purpose at my coming to *London* to confer with the Chief Justice as his Majestie appointed; and to put the business of the Pursevents in a way, which I think will be best by a Commission of *Oyer and Terminer*; for the *Star Chamber*, without confession, is *long seas*. I should advise that this point of the Pursevents were not single, but that it be coupled in the Commission with the offences of Keepers of prisons hereabouts, it hath a great affinity; for Pursevents are but ambulatory Keepers, and it works upon the same party, of the Papists. And it is that wherein many of his Majestie's and the Council's severe charges have been hitherto unfruitful: and it doth a great deal of mischief. I have some other reasons for it. But of this it will be fittest to advertize more particularly what I have resolved of on advice, upon conference with the Chief Justice. I am wonderful glad to hear of the King's good health. God preserve his Majestie and your Lordship. I ever rest, *Your Lordship's most obliged Friend and faithful Servant,*

*Gorhambury this last
of July, 1619.*

Fr. Verulam, Cant.

From

Letters of the Lord

From the Original. ‡

To the Lord Chancellor.

My honourable Lord,

YOur Lordship hath sent so good news to his Majestie, that I could have wished you had been the reporter of it your self; but seeing you came not, I cannot but give you thanks for employing me in the delivering of that which pleased his Majestie so well, whereof he will put your Lordship in minde, when he seeth you. I am glad we are come so near together, and hoping to see you at *Windsor*, I rest, *Your Lordship's faithful Friend and Servant,*

G. Buckingham.

29 August, 1619.

From the Original. ‡

To the Lord Chancellor.

My honourable Lord,

AS I was reading your Lordship's letter, his Majestie came, and took it of my hands, when he knew from whom it came, before I could read the paper inclosed; and told me that you had done like a wise Counsellor: first setting down the state of the question, and then propounding the difficulties, the rest being to be done in its own time.

I am glad of this occasion of writing to your Lordship, that I may now let your Lordship understand his Majestie's good conceit and acceptation of your service, upon your discourse with him at *Windsor*, which though I heard not my selfe, yet I heard his Majestie much commend it both

for the method and the affection you shewed therein to his affairs, in such earnest manner, as if you made it your only study and care to advance his Majestie's service. And so I rest, *Your Lordship's faithful Friend and Servant,*

Wansted, 9 Sept. 1619.

G. Buckingham.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Think it my duty to let his Majestie know what I find in this cause of the *Ore tenus*. For as his Majestie hath good experience, that when his business comes upon the stage, I carry it with strength and resolution; so in the proceedings I love to be wary and considerate.

I wrote to your Lordship by my last, that I hoped by the care I had taken, the business would go well, but without that care I was sure it would not go well. This I meant because I had had conference with the two chief Justices, Sir *Edward Cooke* being present, and handled the matter so, that not without much ado, I left both the chief Justices firm to the cause and satisfied.

But calling to mind that in the main business, notwithstanding I and the chief Justices went one way, yet the day was not good (and I should be loth to see more of such days) I am not without some apprehension. For though we have Sir *Edward Cooke* earnest and forward, insomuch as he advised the *Ore tenus*, before I knew it at *Wansted*, and now bound the *Dutchmen* over to the Star-chamber, before I was made privy; unto both which proceedings I did nevertheless give approbation: yet if there

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should

should be either the major part of the votes the other way, or any main distraction, though we bear it through, I should think it a matter full of inconvenience. But that which gives me most to think, is the carriage of Mr. *Attorney*, which forteth neither with the business, nor with himself: for as I hear from divers, and partly perceive, he is fallen from earnest to be cool and faint. Which weakness, if it should make the like alteration at the barre, it mought overthrow the cause. All the remedy which is in my power, is by the advice of the Judges to draw some other of the learned Counsel to his help, which he I know is unwilling with, but that is all one.

This I thought it necessary to write, lest the King should think me asleep, and because I know that his Majestie's judgment, is far better than mine. But I for my part mean to go on roundly, and so I ever rest, *Your Lordship's most obliged Friend and faithful Servant.*

9 October 1619.

Fr. Verulam, *Canc.*

P. S. If the King in his great wisdom should any ways incline to have the *Ore tenus* put off, then the way were to command, that the matter of the *Ore tenus* should be given in evidence, by way of aggravation in the main cause. And it is true, that if this precursory matter goeth well, it giveth great entrance into the main cause; if ill, contrariwise it will do hurt and disadvantage to the main.

From

From the Original. ♀

To the Lord Chancellor.

My honourable Lord,

THE news of this victory hath so well pleased his Majestie, that he giveth thanks to all; and I among the rest, who had no other part, but the delivering of your letter, had my part of his good acceptation, which he would have rewarded after the *Roman* fashion with every Man a garland, if it had been now in use; but after the fashion of his gracious goodness, he giveth your Lordship thanks: and would have you deliver the like in his Majestie's name to Sir *Edward Coke* and the Judges. Your news which came the first, gave his Majestie a very good breakfaste, and I hope his health will be the better after it.
Your Lordship's faithful Friend and Servant,

14 October, 1619.

G. Buckingham.

This letter was endorsed,

Thanks on the successe in the Ore tenus against the Dutch.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

THESE things which I write now and heretofore in this cause; I do not write, so as any can take knowledge that I write, but I dispatch things *ex officio* here, and yet think it fit inwardly to advertize the King, what doth occurre. And I do assure your Lordship, that if I did serve any King, whom I did not think farre away

wiser than my self, I would not write in the midst of business, but go on of my self.

This morning, notwithstanding my speech yesterday with the * *Duke*, he delivered this letter inclosed, and I having cleared the room of all save the Court and learned Counsel (whom I required to stay) the letter was read a little before our hour of sitting. When it was read, Mr. *Attorney* began to move, that my Lord should not acknowledge his offences, as he conceived he had committed them, but as they were charged; and some of the Lords speaking to that point, I thought fit to interrupt and divert that kind of question; and said, before we considered of the extent of my Lord's submission, we were first to consider of the extent of our own duty and power; for that I conceived it was neither fit for us to stay proceeding, nor to move his Majesty in that which was before us in course of Justice. Unto which (being once propounded by me) all the Lords and the rest *und' voce* assented. I would not so much as aske the question, whether though we proceeded, I should send the letter to his Majesty, because I would not streighten his Majesty in any thing.

The evidence went well (I will not say I sometime help it, as far as was fit for a Judge) and at the arising of the Court, I moved their Lordships openly, whether they would not continue this cause from day to day, till it were ended; which they thought not fit in regard of the general justice, which would be delayed in all Courts. Yet afterwards within I prevailed so far as we have appointed to sit *Wednesday*, *Thursday* and *Fryday*, and to sit by eight of the clock, and so to dispatch it before the King come, if we can. God preserve and prosper you.

I ever rest, *Your Lordship's most obliged Friend and faithful Servant,*

This 22^d of October
Friday at 4 of the
Clock, 1619.

Fr. Verulam, Canc.

From the Original. ‡

To the Lord Chancellour.

My honourable Lord,

I Have received your letters by both your servants, and have acquainted his Majestie with them, who is exceedingly pleased with the course you have held in the Earl of Suffolk's business, and holdeth himselfe so much the more beholding to you, because you sent the letter of your own motion, without order or consent of the Lords, whereby his Majestie is not tyed to an answer. His Majestie hath understood by many, how worthily your Lordship hath carryed yourselfe both in this and the *Dutch* business; for which he hath commanded me to give you thanks in his name, and seeth your care to be so great in all things that concern his service, that he cannot but much rejoyce in the trust of such a servant, which is no lesse comfort to
Your Lordship's faithful Friend and Servant,

Royston, 23 October 1619.

G. Buckingham.

Indorsed thus,

On my Lord of Bucks inclosing a letter of submission from my Lord of Suffolk.

From

Letters of the Lord

From the Original in the Earl of Oxford's Library.

To the Marquis of Buckingham.

My very good Lord,

MY Lord of *Suffolk's* cause is this day sentenced. My Lord and his Lady fined at 30000*l.* with imprisonment in the Tower at their own charges. *Bingley* at 2000*l.* and committed to the Fleet. Sir *Edward Cooke* did his part, I have not heard him do better, and began with a fine of an 100000*l.* but the Judges first, and most of the rest reduced it as before. I do not dislike that things passed moderately, and all things considered it is not amiss, and might easily have been worse.

There was much speaking of interceding for the King's mercy, which in my opinion, was not so proper for a sentence. I said in conclusion, that mercy was to come *ex mero motu*, and so left it. I took some other occasion pertinent to do the King honour by shewing how happy he was in all other parts of his government, save only in the manage of his Treasure by these Officers.

I have sent the King a new Bill for *Suffex*, for my Lord of *Nottingham's* certificate was true, and I told the Judges of it before, but they neglected it. I conceive the first man, which is newly set down, is the fittest. God ever preserve and keep you, &c. *Your Lordship's most obliged Friend and faithful Servant,*

13 November 1619.

Fr. Verulam, *Canc.*

From

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Do not love to interlope by writing in the midst of business. But because his Majestie commanded me to acquaint him with any occurrence which mought crosse the way, I have thought fit to let his Majestie know what hath passed this day.

This day (which was the day set down) the great cause of the *Dutchmen* was entered into. The pleading being opened, and the case stated by the Counsel; the Counsel of the Defendants made a motion to have certain examinations taken concerning the old Defendants suppressed, because they were taken since the last hearing.

I set the business in a good way, and shewed they were but supplemental, and that at the last hearing there were some things extrajudicial alledged *ad infirmendam conscientiam judicis*, and therefore there was more reason these should be used *ad informandam conscientiam judicis*, and that there was order for it. The order was read, and approved both by the Court, and the Defendant's own Counsel; but it was alledged, that the order was not entered time enough, whereby the Defendants mought likewise examine; wherein certainly there was some slip or forgetfulness in Mr. *Attorney* or *Britten* that followed it, which I wish had been otherwise, yet it went fair out of the Court.

But after dinner my Lords were troubled with it, and after much dispute, we have agreed to confer silently, and *sine strepitu* to morrow, and set all straight, calling the

Judges,

Judges, and the learned Counfel, with whom I have spoken this evening, I think, to good purpofe. For in good faith I am fain to be *omnibus omnia*, as St. Paul faith, to fet forward his Majeftie's fervice.

I difcern a kind of inclination to take hold of all accidents to put off the caufe, whereunto neither I fhall give way, nor I hope his Majeftie; to morrow, if caufe be, I fhall write more, but I hope all fhall be well. I ever reft,
Your Lordſhip's moſt obliged Friend and faithful Servant,

Friday night, 19.
November, 1619.

Fr. Verulam, *Canc.*

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Have conferred with Sir *Lyonel Cranfield* according to his Majeftie's ſpecial commandement, touching two points of value, for the advancement (the one preſent, the other ſpeedy) of his Majeftie's revenue.

The firſt is of the Corans, to reſtore the impoſition of five ſhillings fix pence laid in the late *Queen's* time, and drawn down unduly to ſerve private turns to three ſhillings four pence; which will amount to above three thouſand pounds yearly increaſe.

The other is of the Tobacco, for which there is offered 2000 *l.* increaſe yearly, to begin at *Michaelmas* next, as it now is, and 3000 *l.* increaſe, if the plantations of Tobacco here within land be reſtrained.

I approve in my own judgment both propoſitions, with theſe

these cautions. That for the first, the farmers of the Corons do by instrument under their Seal relinquish to the King all their claim thereto, by any general words of their patent. And for the second, that the bargain be concluded and made before the Proclamation go forth; wherein perhaps there will occur some doubt in law, because it restraineth the subject in the imployment of his freehold at his liberty. But being so many ways *pro bono publico* I think it good enough.

His Majestie may therefore be pleased to write his letter to the Commissioners of the Treasury, signifying his Majestie's pleasure directly in both points, to have them done, and leaving to us the consideration *de modo*. God ever prosper you. I rest, *Your Lordship's most obliged Friend and faithful Servant,*

22 Nov. 1619.

Fr. Verulam, Canc.

From the Original. †

To the Marquis of Buckingham.

My very good Lord,

I Send the submission of Sir Thomas Laque drawne in such forme as upon a meeting with me, of the chief Justices, and the learned Counsell, was conceyved agreeable to his Majestie's meaning and directions; yet lest we should erre, we thought good to send it to his Majestie. It is to be returned with speed, or else there will be no day in Court to make it. God blefs and prosper you, I rest, *Your Lordship's most obliged Friend, and faithful Servant,*

28 Novemb. 1619.

Fr. Verulam, Canc.

Letters of the Lord

From the Original. ♀

To the Lord Chancellor.

My Honourable Lord,

I Have acquainted his Majestie with your Lordship's letter, and with the submission you sent drawn for Sir *Thomas Lake*, which his Majestie liketh well, and because he served him in so honourable a place, is graciously pleased that he maketh submission in writing, so that my Lady of *Exceter* be contented and the *Lords*, whom his Majestie would have you acquaint therewith, and so I rest
Your Lordship's faithful Friend, and Servant,

Newmarket, 29 Nov. 1619.

G. Buckingham.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

WE sentence to morrow, but I write to day, because I would not leave the King in suspense.

I shall write, not so good news as I would, but better than I expected.

We met amongst our selves to day, which I find was necessary, more than convenient. I gave ayme that the meeting was not to give a privie verdict or to determine what was a good prooffe or not a good prooffe, nor who was guilty or not guilty, but only to think of some fit proportion

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tion of the fynes, that there mought be less distraction in the sentence, in a cause so scattered; some would have entered into the matter it self, but I made it good and kept them from it.

I perceive the old Defendants will be censured as well as the new, (which was the goale) and I am perswaded the King will have a great deale of honour of the cause. Their fynes will be moderate, but far from contemptible. The *Attorney* did very well to day; I perceive he is a better pleader than a director, and more eloquent than considerate.

Little thinks the King what adoe I have here, but I am sure I acquit my trust. To morrow I will write particularly. God ever preserve you. *Your Lordship's most obliged Friend and faithful Servant,*

Tuesday afternoon, this
7th Decemb. 1619.

Fr. Verulam, *Canc.*

The Marquis of *Buckingham* writes that he had acquainted his Majestie with this letter, who commanded him to give the Lord Chancellor thanks for his speed in advertising those things that pass, and for the great care he ever seeth his Lordship has in his service.

From the Original. ♀

To the Lord Chancellor.

My Lord,

HIS Majesty having seen in this great business your exceeding care and diligence in his service by the effect which hath followed thereupon, hath commanded me to give you many thanks in his name, and to tell you

Letters of the Lord

that he seeth you play the part of all in all, &c. *Yours,*
&c.

Newmarket, the
10 December, 1619.

G. Buckingham.

Endorsed, in the Dutch cause.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

TO keep form, I have written immediately to his
 Majestie of Justice *Croke's* death, and send your
 Lordship the letter open, wishing time were not lost.
 God preserve and prosper you. *Your Lordship's ever.*

24 Jan. 1619.

Fr. Verulam, Canc.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

I Doubt not but Sir *Giles Montpeffon* advertiseth your
 Lordship how our revenue busines proceeds. I would
 his Majestie had rested upon the first names; for the addi-
 tionals, specially the Exchequer man, doth not onely
 weaken the matter, but weakeneth my forces in it, he be-
 ing thought to have been brought in acrosse. But I goe
 on and hope good service will be done.

For the Commissions to be published in the *Star-cham-*
ber, for which it pleaseth his Majestie to give me special
 thanks, I will have special care of them in time. God

ever

ever prosper you. *Your Lordship's most obliged Friend,
and faithful Servant,*

Fr. Verulam, *Canc.*

10th of Feb. 1619.

From the Original.

To the KING.

May it please your most excellent Majestie,

According to your commandement, we met together yesterday at *Whitehall*, and there consulted what course were fittest to be taken now in this business of your Majestie's Attorney General, both for the satisfying your own honour, as also for calling in the late exorbitant charter of the City; which are the two ends, as we conceive, that your Majestie proposed unto your self.

To effect both which, we humbly presume to present thus much unto your Majestie as our opinion. First, that an information be put into the *Star-chamber*, as we formerly advised, against your Attorney as delinquent, against the Mayor, &c. as interested, and against the Recorder also mixtly with some touch of charge.

That the submission by letter offered by Mr. *Attorney* is no way satisfactory for your Majestie's honour, but is to be of record by way of answer, and deduced to more particulars.

That any submission or surrender of the Patents by the City, should be also of record in their answer; and no other can be received with your Majestie's honour, but by answer in Court: the same to come meerly of themselves, without any motion on your Majestie's behalf, directly or
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Letters of the Lord

indirectly ; which being done in this form, it will be afterwards in your Majestie's choice and pleasure to use mercy, and to suspend any farther proceedings against your Attorney.

That it is of necessity as well for the putting in of this information, as for your Majestie's other urgent and publick services in that and other Courts, to have a sequestration presently of your Attorney, and a provisional Commission to some other during your Majestie's pleasure to execute that charge. For both which instruments legal shall be provided as soon as your Majestie's pleasure is known. To which we humbly and dutifully submit our advice, and opinion, beseeching God to bless your Majestie's sacred person with continuance and encrease of much health and happiness. Wherewith humbly kissing your royal hands, we rest, *Your Majestie's most humble, and faithful subjects and servants,*

At your Majestie's Palace
of Whitehall, 16 June
1620.

Fr. Verulam, <i>Canc.</i>	T. Arundel,
Robert Naunton,	Geo. Calvert,
Jul. Cæsar,	Edw. Coke.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Have lately certified his Majestie on the behalf of Sir George Chaworth, by Secretary Calvert, touching the place of a Remembrancer in the Chancery for setting down of causes. And because the Gentleman telleth me the King thought my certificate a little doubtful, he de-

fired

fired me to write to your Lordship, touching my approbation more plainly. It is true, that I conceive it to be a good business, and will be for the service of the Court and ease of the Subject; I will look it shall be accompanied with good cautions.

We ruffle over business here in Council apace, and I think to reasonable good purpose. By my next I will write of some fit particulars. I ever rest, *Your most obliged Friend and faithful Servant,*

21 June 1620.

Fr. Verulam, *Canc.*

To the Marquis of Buckingham. ♀

My very good Lord,

THE Tobacco business is well settled in all points. For the Coals, they that brought the offer to Secretary *Calvert*, do very basely shrink from their words; but we are casting about to piece it and perfect it. The two Goose quills *Maxwell* and *Alured* have been pulled, and they have made submissions in that kind which the Board thought fit: For we would not do them the honour to require a recantation of their opinion, but an acknowledgment of their presumption.

His Majestie doth very wisely (not shewing much care or regard to it) yet really to suppress this licentious course of talking and writing. My old Lord *Burghley* was wont to say, that the *Frenchman* when he hath talked he hath done; but the *Englishman* when he hath talked, he begins. It evaporateth malice and discontent in the one, and kindleth it in the other. And therefore upon some fit occasion

Letters of the Lord

sion I wish a more publick example. The King's state, if I should now dye and were opened, would be found at my heart, as *Queen Mary* said of *Calais*; we find additionals still, but the consumption goeth on. I pray God give his Majestie resolution, passing by at once all impediments and less respects, to do that which may help it, before it be irremediable. God ever preserve and prosper your Lordship. *Your Lordship's most obliged Friend and faithful Servant,*

23 July 1620.

Fr. Verulam, *Canc.*

I have staid the thousand pounds set upon *Englefield* for his Majestie, and given order for levying it.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

ONE gave me a very good precept for the Stone; that I should think of it most when I feel it least. This I apply to the King's business, which surely I revolve most when I am least in action, whereof at my attendance I will give his Majestie such account as can proceed from my poor and mean abilities, which as his Majestie out of grace may think to be more than they are, so I out of desire may think sometime they can effect more than they can. But still it must be remembred, that the stringing of the harp, nor the tuning of it will not serve, except it be well plaied on from time to time.

If his Majestie's business or commandements require it, I will attend him at *Windsor*, though I would be glad to

be spared, because quick ayres at this time of the year do affect me. At *London*, and so at *Theobaldes* and *Hampton-Court*, I will not fail God willing to wait upon his Majestie. Mean while I am exceeding glad to hear his Majestie hath been lusty and well this progress. Thus, much desiring to see your Lordship, *cujus amor tantum mihi crescit in horas* (as the Poet saith) I ever remain *Your Lordship's most obliged Friend and faithful Servant*,

Gorbamby this 30th
of August, 1620.

Fr. Verulam, Canc.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

I Write now onely a letter of thanks to his Majestie, for that I hear, in my absence he was pleased to express towards me (though unworthy) a great deal of grace and good opinion before his Lords; which is much to my comfort, whereunto I must ever impute your Lordship as accessary. I have also written to him what signification I received from Secretary *Naunton* of his Majestie's will and pleasure, lest in so great a business there should be any mistaking.

The paine of my foot is gone, but the weakness doth a little remain, so as I hope within a day or two to have full use of it. I ever remaine *Your Lordship's most obliged Friend and faithful Servant*,

2 Oct. 1620.

Fr. Verulam, Canc.

From

Letters of the Lord

From the Original. ♣

To the KING.

It may please your Majestie,

I Thought my self an unfortunate Man that I could not attend you at *Theobaldes*. But I hear that your Majestie hath done, as God Almighty useth to do, which is to turn evil into good, in that your Majestie hath been pleased upon that occasion to expresse before your Lords your gracious opinion and favour towards me, which I most humbly thank your Majestie for, and will aspire to deserve.

Secretary *Naunton* this day brought me your pleasure in certain notes : that I should advise with the two Chief Justices (old Parliament men) and Sir *Edward Coke* (who is also their senior in that Schoole) and Sir *Randall Crewe* the last Speaker, and such other Judges as we should think fit touching that which mought in true policy, without packing or degenerate arts, prepare to a Parliament, in case your Majestie should resolve of one to be held, and withall he signified to me some particular points, which your Majestie very wisely had deduced.

All your Majestie's businesse is *super cor meum*, for I lay it to heart, but this is a businesse *secundum cor meum* ; and yet, as I will do your Majestie all possible good services in it, so I am far from seeking to impropriate to my self the thanks, but shall become *omnibus omnia* (as *St. Paul* saythe) to attaine your Majestie's ends.

As soon as I have occasion, I will write to your Majestie touching the same, and will have special care to
commu-

communicate with my Lords, in some principal points, though all things are not at first fit for the whole Table. I ever rest, *Your Majestie's most bounden and most devoted Servant,*

Fr. Verulam, *Canc.*

2 October 1620.

Your Majestie needeth not to doubt but I shall carry the busines with that secrecy which appertaineth.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

Yesterday I called unto us the two Chief Justices and Serjeant *Crewe* about the Parliament busines. To call more Judges I thought not good. It would be little to assistance, much to secrecy: The distribution of the busines we made was into four parts.

First, The perusing of the former Grievance, and of things of like nature which have comen since.

Secondly, The consideration of a Proclamation with the clauses thereof, especially touching Elections, which clauses nevertheless we are of opinion should be rather monitory than exclusive.

Thirdly, The inclusive: that is to say, what persons were fit to be of the house, tending to make a sufficient and well composed house of the ablest Men of the Kingdom, fit to be advised with *circa ardua regni*, as the style of the writs goeth, according to the pure and true institution of a Parliament; and of the means to place such persons without novelty or much observation. For this purpose

we made some lists of names of the prime Counsellors, and principal Statesmen or Courtiers; of the gravest or wisest Lawyers; of the most respective and best tempered Knights and Gentlemen of the County. And here *obiter* we did not forget to consider who were the *Boutefeus* of the last session, how many of them are dead, how many reduced, and how many remain, and what were fit to be done concerning them.

Fourthly, The having ready of some Commonwealth Bills, that may add respect and acknowledgment of the King's care; not wooing Bills, to make the King and his graces cheap; but good matter to set them on work, that an empty stomach do not feed upon humor.

Of these four points, that which concerneth Persons is not so fit to be communicated with the Council-table, but to be kept within fewer hands. The other three may when they are ripe.

Mean while I thought good to give his Majestie an account what is done, and in doing, humbly craving his direction if any thing be to be altered or added; though it may be our selves shall have second thoughts, this being but the result of our first meeting.

The state of his Majestie's Treasure still maketh me sad; and I am sorry I was not at *Theobalds* to report it, or that it was not done by my fellows. It is most necessary we do it faithfully and freely. For to flatter in this were to betray his Majestie with a kiss. I humbly pray his Majestie to think of my former counsel, and this I will promise that whomsoever his Majestie shall make *Treasurer*, if his Majestie shall direct him to have relation to my advice, I will continue the same care and advice I do

now,

now, and much more chearfully when I shall perceive, that my propositions shall not be *Literæ scriptæ in glacie*.

Mean while to keep the Commission in doing of somewhat worth the doing; it may please his Majestie to take knowledge, that upon our report we had agreed to make remonstrance to him, that we thought *Ireland* mought (if his Majestie leave it to our care) be brought by divers good expedients to bear their own charge; and therefore his Majestie may be pleased by his commandement to set us in hand with it, out of hand. God ever prosper you.
Your Lordship's most obliged Friend and faithful Servant,

Fr. Verulam, *Canc.*

7 October, 1620.

From the Original. ✱

To the Lord Chancellor.

My Lord,

I Have acquainted his Majestie with your letter, and labour in his service, for which he commandeth me to give you thanks, and to let your Lordship know, that he liketh exceeding well your method held by the Judges; which could not be amended, and concurreth with you in your opinions. *First*, touching the Proclamation, that it should be monitory and perswasive rather than compulsive: and *secondly*, that the point concerning the persons, who should be admitted, and who avoided, is fit to be kept from the knowledge of the Council table, and to be carried with all secrecy.

For the business of *Ireland*, his Majestie had heard of it before, and gave commandement to the Master of the
Wards,

Wards, that it should be hastened and set in hand with all speed, which his Majestie doubteth not but is done by this time. Touching your advice for a Treasurer, his Majestie is very mindfull of it, and will let you know as much at his return, when he will speak further with your Lordship of it, and soe I rest, *Yours, &c.*

Roxton, 9 Oct. 1620.

G. Buckingham.

To the Lord Chancellor.

My very good Lord,

I Have received your letter, and your Book, than the which, you could not have sent a more acceptable present unto me. How thankful I am for it, cannot better be expressed by me, than by a firm resolution, I have taken; first to read it through, with care and attention, though I should steal some hours from my sleep; having otherwise, as little spare time to read it, as you had to write it: And then to use the liberty of a true Friend, in not sparing to ask you the question, in any point, whereof I shall stand in doubt; *Nam ejus est explicare, cujus est condere*: as, on the other part, I will willingly give a due commendation to such places, as in my opinion shall deserve it. In the mean time, I can with comfort assure you, that you could not have made choice of a subject more befitting your place, and your universal and methodical knowledge: and in the general, I have already observed, that you jump with me, in keeping the mid-way between the two extremes; as also in some particulars, I have found that you agree fully with my opinion. And so praying God, to give your work as good success as your heart

heart can wish, and your labours deserve, I bid you heartily farewell.

James R.

Octob. 16. 1620.

On the 12th of *October* 1620. the Lord Chancellour sends his *Novum organum* to the King, who thereupon writes this letter to his Lordship with his own hand, for which, and the acceptance of his book, the Chancellour returns his thanks on the 20th of the same month, beginning his letter (which is not to be recovered) with these words) *I cannot express, &c.*

To Sir Henry Wotton.

My very good Cousin,

THE letter which I received from your Lordship upon your going to sea, was more than a compensation for any former omission; and I shall be very glad to entertain a correspondence with you, in both kinds, which you write of: for the latter, I am now ready for you, having sent you some *ore* of that *mine*. I thank you for your favours to Mr. *Meautys*, and I pray continue the same. So wishing you out of your honourable exile, and placed in a better orbe, I rest, *Your Lordship's affectionate Kinsman, and assured Friend,*

York-House, 20 Oct. 1620.

Fr. Verulam, Canc.

To the Lord Chancellor, from Sir Henry Wotton.

Right honourable and my very good Lord,

I Have your Lordship's letters dated the 20th of *October*, and I have withall by the care of my cousin *Meautys*, and by your own special favour three copies of that work, wherewith your Lordship hath done a great and ever-living benefit to all the children of Nature, and to Nature herself in her uttermost extent. and latitude: who never before

Letters of the Lord

fore had so noble nor so true an Interpreter, or (as I am readier to style your Lordship) never so inward a Secretary of her Cabinet. But of your said work (which came but this week to my hands) I shall find occasion to speak more hereafter; having yet read only the first book thereof and a few Aphorisms of the second. For it is not a banquet that men may superficially taste, and put up the rest in their pockets; but in truth a solid feast, which requireth due mastication.——*And so on.*

But I am gone further than I meant in speaking of this excellent labour, while the delight yet I feel, and even the pride that I take in a certain congeniality (as I may term it) with your Lordship's studies, will scant let me cease. And indeed I owe your Lordship even by promise, (which you are pleased to remember, and thereby doubly binding me) some trouble this way; I mean by the commerce of Philosophical experiments, which surely, of all other, is the most ingenious traffick.

A letter from the Lord Chancellor *Verulam* to the University of *Cambridge* upon sending to their publick library his *Novum Organum*, to which this letter written with his own hand is affixed.

Almæ Matri Academiæ Cantabrigiensi.

CUM vester Filius sive & Alumnus, voluptati mibi erit, partum meum nuper editum vobis in gremium dare: Aliter enim velut pro exposito eum haberem. Nec vos moveat, quod via nova sit. Necesse est enim talia per
ætatum

*ætatum & seculorum circuitus evenire. Antiquis tamen
suus constat bonos; ingenii scilicet: Nam fides verbo
Dei & experientiæ tantum debetur. Scientias autem ad
experientiam retrahere, non conceditur: At, easdem ab
experientiâ de integro excitare, operosum certè, sed per-
vium. Deus vobis & studiis vestris faveat. Filius vester
amantissimus,*

Ex Ædibus Eborac.
3^o Octob. 1620.

Franc. Verulam, Canc.

From the Original.

To the Marquis of Buckingham.

My very good Lord,

I Send his Majestie a form of a Proclamation for the Par-
liament, which I thought fit to offer first to his Ma-
jestie's perusal, before I acquainted the Council.

For that part which concerneth the foreign business,
his Majestie will graciously consider, how easy it is for
me to mistake, or not to attain; which his Majestie in his
wisdom will pardon, correct, and direct.

For that part touching the Elections, I have communi-
cated it with my Collegues, Sir *Edward Coke*, the two
Chief Justices, and Serjeant *Crew*, who approve it well;
and we are all of opinion, that it is not good to have it
more peremptory, more particular, nor more sharp.

We are thinking of some Commonwealth Laws, a-
mongst which I would have one special for the mainte-
nance of the Navy, as well to give occasion to publish (to
his Majestie's honour) what hath been already done; as,
to speak plainly, to do your Lordship honour in the se-
cond place; and besides, it is agreeable to the times. God

R

ever

Letters of the Lord

ever prosper you. *Your Lordship's most obliged Friend and faithful Servant,*

18 October 1620.

Fr. Verulam, *Canc.*

From the Original.

Draught of a Proclamation for a Parliament, referred to in the preceding letter.

AS in our princely judgement, we hold nothing more worthy of a Christian Monarch, than the conservation of peace at home and abroad ; whereby effusion of Christian blood, and other calamities of war are avoided, Trade is kept open, Laws and Justice retain their due vigor and play, Arts and Sciences flourish, Subjects are less burthened with taxes and tallages, and infinite other benefits redound to the state of a Common-weale : so in our own practice, we suppose there hath been seldom any King, that hath given more expresse testimonies and real pledges of this desire to have peace conserved, than we have done in the whole course of our regiment.

For neither have we, for that which concerns our selves, been ready to apprehend or imbrace any occasions or opportunities of making war upon our neighbours ; neither have we omitted, for that which may concern the States abroad, any good office or royal endeavour, for the quenching of the sparkes of troubles and discords, in foreign parts. Wherein as we have been always ready and willing ; so we wish, that we had been always as happy and prevailing in our advices and counsels, that tended to that end.

And

And yet do we not forget, that God hath put into our hands a sceptre over populous and warlike nations, which might have moved us, to second the affection and disposition of our people, and to have wrought upon it, for our own ambition, if we had been so minded. But it hath sufficed unto us, to seek a true and not swelling greatness, in the plantations and improvements, of such part of our dominions, as have in former times been more desolate or uncivil, and in the maintaining of all our loving subjects in general, in tranquillity and security, and the other conditions of good Government, and happy times. But amongst other demonstrations, of our constant purpose, and provident care, to maintain peace; there was never such a tryal, nor so apparent to the world (as in a theatre) as our persisting in the same resolution, since the time that our dear Son-in-law, was elected and accepted King of *Bobemia*; by how much the motives tending to shake and assaile our said resolution, were the more forcible. For neither did the glory of having our dearest Daughter and Son-in-law to wear a Crown; nor the extreme alacrity of our people devoted to that cause; nor the representations which might be set before us of dangers (if we should suffer a partie in *Christendom*, held commonly adverse and ill affected to our State and Government, to gather further reputation and strength) transport us, to enter into an auxiliary war, in prosecution of that quarrel: but contrariwise finding the justice of the cause, not so clear, as that we could be presently therein satisfied; and weighing with our selves likewise, that if the Kingdom of *Bobemia* had continued in the house of *Austria*; yet nevertheless, the Balance of

Chriftendom had flood in no other fort than it had done for many years before, without increafe of partie; and chiefly fearing that the wars in thofe parts of *Germany*, which have been hitherto the bulwark of *Chriftendom*, againft the approaches of the *Turk*, mought by the intestine diffenfions, allure and let in the common Enemy; we did abftain to declare, or engage our felves in that war; and were contented only to give permiffion to the Ambafadour of our Son-in-law to draw fome voluntary helps of Men and money from our fubjects, being a matter that violated no treaty, and could not be denied in cafe of fo near a conjunction.

But, while we contained our felves in this moderation, we find the event of war hath much altered the cafe, by the late invafion of the *Palatinate*, whereby (howfoever under the pretence of a diverfion) we find our Son in fact expulfed in part, and in danger to be totally difpoffeffed of his antient inheritance and patrimony, fo long continued in that noble line; whereof we cannot but highly refent, if it fhould be alienated, and ravifhed from him, in our times, and to the prejudice of our Grand-children and line-royal. Neither can we think it fafe, for us in reafon of ftate, that the *Countie Palatine*, carrying with it felf an Electorate, and having been fo long in the hands of Princes of our religion. and no way depending upon the houfe of *Auftria*, fhould now become at the difpofing of that houfe; being a matter, that indeed mought alter the balance of *Chriftendom* importantly to the weakening of our eftate, and the eftate of our beft friends and Confederates.

Wherefore, finding a concurrence of reafons and re-
fpects

spects of *Religion, Nature, Honour, and Estate* ; all of them inducing us, in no wise to indure so great an alteration : we are resolved to employ the uttermost of our forces and means, to recover and resettle the said *Palatinate* to our Son, and our descendents ; purposing nevertheless, according to our former inclination so well grounded, not altogether to intermit (if the occasions give us leave) the treaties of peace and accord, which we have already begun, and whereof the coming on of the Winter, and the counterpoise of the actions of War hitherto may give us *I pray God this bold* as yet some appearance of hope.

But, forasmuch as it were great improvidence, to depend upon the success of such treaties, and therefore good policy requires, that we should be prepared for a war, which we intend for the recovery and assuring of the said *Palatinate*, with the dependances (a design of no small charge and difficulty, the strength and conjunctures of the adverse party considered) We have thought good to take into our princely and serious consideration (and that with speed) all things that may have relation to such a designment ; among which, we hold nothing more necessary than to confer and advise with the Common-council of our Kingdom, upon this so important a subject.

For although the making of War or Peace, be a secret of Empire, and a thing properly belonging to our high Prerogative royal, and imperial Power ; yet nevertheless, in causes of that nature, which we shall think fit not to reserve, but to communicate : we shall ever think our selves much assisted and strengthened, by the faithful advice, and general assent of our loving Subjects.

Moreover, no man is so ignorant, as to expect that we should

should be any ways able (moneys being the sinews of War) to enter into the list against so great Potentates, without some large and bountiful help of treasure from our People; as well towards the maintenance of the War, as towards the relief of our Crown and estate. And this the rather, for that we have now, but the space of full ten years (a thing unheard of in late times) subsisted by our own means, without being chargeable to our People, otherwise than by some voluntary gifts of some particulars; which though in total, amounted to no great matter, we thankfully acknowledge at their hands: But, as, while the affairs abroad were in greater calme, we did content our selves to recover our wants, by provident retrenchment of charge, and honourable improvement of our owne, thinking to wear them out, without troubling our People; so in such a state of *Christendom*, as seemeth now to hang over our heads, we durst no longer rely upon those slow remedies, but thought necessary (according to the antient course of our progenitors) to resort to the good affections and aydes of our loving Subjects.

Upon these considerations, and for that also in respect of so long intermission of a Parliament, the times may have introduced some things fit to be reformed, either by new Laws, or by the moderate desires of our loving Subjects, dutifully intimated unto us (wherein we shall ever be no less ready to give them all gracious satisfaction than their own hearts can desire) we have resolved, by the advice of our Privy-council, to hold a Parliament at our City of *Westminster*

And because, as well this great Cause (there to be handled amongst the rest, and to be weighed by the Beam of the Kingdom)

Kingdom) as also the true and antient institution of Parliament, do require the lower-house (at this time if ever) to be compounded of the gravest, ablest, and worthiest Members that may be found: We do hereby, out of the care of the common good, wherein themselves are participant (without all prejudice to the freedom of elections) admonish all our loving Subjects (that have votes in the elections of Knights and Burgeses) of these few points following.

First, That they cast their eyes upon the worthiest men of all sorts, Knights and Gentlemen, that are lights and guides in their Countries, experienced Parliament men, wise and discreet Statesmen, that have been practised in publique affairs, whether at home or abroad: grave and eminent Lawyers, substantial Citizens and Burgeses, and generally such as are interested and have portion in the Estate.

Secondly, That they make choise of such as are well affected in Religion, without declining either on the one hand to blindness and superstition, or on the other hand to schism, or turbulent disposition.

Thirdly and lastly, That they be truly sensible, not to disvalue or disparage the house with Bankrupts and necessitous Persons, that may desire long Parliaments only for protection; Lawyers of mean account and estimation; young men that are not ripe for grave consultations; mean dependants upon great Persons, that may be thought to have their voices under command, and such like obscure and inferiour Persons: so that to conclude, we may have the comfort to see before us, the very face of a sufficient and well composed House, such as may be worthy

to

Letters of the Lord

to be a representative of the third Estate of our Kingdom, fit to nourish a loving comfortable meeting between us and our People, and fit to be a noble instrument, under the blessing of Almighty God, and our Princely care and power, and with the loving conjunction of our Prelates and Peers, for the settling of so great affairs, as are before expressed.

From the Original. †

To the Lord Chancellour.

My honourable Lord,

I Have shewed your letter and the proclamation to his Majestie, who expecting onely, according as his meaning was directions therein for the well ordering of the Elections of the Burgeses, findeth a great deal more, containing matter of State, and the reasons of calling the Parliament; whereof neither the People are capable, nor is it fit for his Majestie to open unto them, but to reserve to the time of their assembling, according to the course of his Predecessors, which his Majestie intendeth to follow. The declaring whereof in the Proclamation, would cut off the ground of his Majestie's, and your Lordship's speech, at the proper time; his Majestie hath therefore extracted somewhat of the latter part of the draught you have sent, purposing to take a few days space to set down himselfe what he thinketh fit, and to make it ready against his return hither, or to *Theobalds* at the furthest, and then to communicate it to your Lordship, and the rest of the Lords. And so I rest, *Yours, &c.*

Royson, 19 Oct. 1620.

G. Buckingham.

From

From the Original. ‡

To the Marquis of Buckingham.

Our very good Lord,

WE thought it our duty to impart to his Majestie by your Lordship, one particuler of Parlement busines, which we hold it our part to relate, though it be too high for us to give our opinion of it.

The Officers that make out the Writs of Parlement addressed themselves to me the Chancellor to knowe, whether they should make such a Writ of summons to the Prince, giving me to understand, that there were some presidents of it; which I the Chancellor communicated with the rest of the Committees for Parlement businesse; in whose assistance I find soe much strength that I am not willing to doe any thing without them: Whereupon we (according to his Majestie's prudent and constant rule, for observing in what reignes the presidents were) upon diligent search have found as followeth.

That King *Edward I.* called his eldest son Prince *Edward* to his Parlement in the thirtieth year of hisreigne, the Prince then being about the age of eighteen years; and to another Parlement in the four and thirtieth year of his reign.

Edward III. called the *Black Prince* his eldest Son to his Parlement in the five and twentieth, eight and twentieth, and two and fortieth years of his reign.

Henry IV. called Prince *Henry* to his Parlements in the first, third, eighth and eleventh years of his reigne, the Prince being under age in the three first Parlements, and

we find in particular, that the eighth year, the Prince sat in the Upper-house in dayes of busines and recommended a Bill to the Lords.

King *Edward* IV. called Prince *Edward* his Son to his Parlement, in *anno* 22 of his reign, being within age.

King *Henry* VII. called Prince *Arthur* to his Parlement in the seventh year of his reign being within age.

Of King *Edward* VI. we find nothing, his years were tender, and he was not created Prince of *Wales*.

And for Prince *Henry*, he was created Prince of *Wales*, during the last Parlement at which he lived.

We have thought it our duty to relate to his Majestie what we have found, and withall that the Writs of Summons to the Prince are not much differing from the Writs to the Peers; for they run in *fide & ligeanciâ*, and sometime in *fide & homagio in quibus nobis tenemini*, and after, *consilium nobis impensuri circa ardua regni*. Whereby it should seem that Princes came to Parlement not onely the dayes of solemnity, when they came without Writ, but alsoe on the dayes of sitting. And if it should be soe, then the Prince may vote, and likewise may be of a Committee of the Upper-house, and consequently may be of a Conference with the Lower-house, and the like.

This might have been made more manifest as to the presence, and actes of the Prince in dayes of sitting, if through the negligence of Officers, the Journal-bookes of the Upper-house of Parlement before the reign of King *Henry* VIII. were not all missing.

All which we thought it appertained to our care to look through, and faithfully to represent to his Majestie :
And

And having agreed secrecy amongst our selves, and in-
joyned it to the inferior Officers, we humbly desire to
knowe his Majestie's pleasure, whether he will silence
the question altogether, or make use of it for his service,
or refer it to his Council, or what other course he will be
pleased to take according to his great wisdom and good
pleasure.

This we have dispatched the sooner, because the Writs
of Summons must have forty days distance from the first
days of the Parlement. And for the other parts of our ac-
counts, his Majestie shall hear from us, by the grace of
God, within few days, evermore praying for his Majestie's
prosperity, and wishing your Lordship much happiness.
Your Lordship's to be commanded,

Yorke-house, 21 Nov. 1620.

Fr. Verulam, Canc. Edw. Coke,

H. Montagu, Henry Hobarte, Ran. Crew.

To the Marquis of Buckingham. ‡

My very good Lord,

WE have these two days past, made report to the
board of our Parliament Committee, upon re-
lation whereof, for some things we provide, for some
things we arme.

The King by my Lord *Treasurer's* signification, did
wisely put it upon a consult, whether the Patents which
we mentioned in our joint letters, were at this time to be
removed, by act of Council before Parliament. I opined
(but yet somewhat like *Ovid's* Mistress that strove, but yet
as one that would be overcome) that yes. My reasons:

That men would go better and faster to the main errand.

That these things should not be staged, nor talked of, and so the lesse fuel to the fire.

That in things of this nature, wherein the Council had done the like in former particulars, (which I enumerated) before Parliament, near Parliament, during Parliament, the Council were to keep their wonted centinel, as if they thought not of a Parliament, to destroy in other Patents, as concealments.

The reasons on the other side were,

That it would be thought but an humouring of the Parliament (being now in the calends of a Parliament) and that after Parliament they would come up again.

That offered graces, by reason, and experience, lose their thanks.

That they are to be suffered to play upon some thing, since they can do nothing of themselves.

That the chusing out of some things, when perhaps their minds might be more upon other things, would do no great effect.

That former Patents taken away by act of Council, were upon the complaints of particular Persons ; whereas now it should seem to be done *tanquam ex officio*.

To this I yielded, though I confess I am yet a little doubtful to the point of *suavibus modis*. But it is true that the speech of these, though in the Lower-house, may be contemned ; and if way be given to them (as I writ to your Lordship of some of them in my last) it will sort to your honour. For other things, the Lords have put them in a very good way, of which I will give express account

when I see his Majestie, as also of other observations concerning Parliament. For if his Majestie said well that when he knew the Men and the Elections, he would guess at the success; the prognosticks are not so good as I expected, occasioned by the late occurrents abroad, and the general licentious speaking of state matters, of which I wrote in my last. God ever keep you. *Your Lordship's most obliged friend and faithful Servant,*

Fr. Verulam, Canc.

16 Dec. 1620.

From the Original. ♀

To the Lord Chancellor.

My Honourable Lord,

AS soon as his Majestie's convenience would permit I have acquainted him with the draught of the Proclamation your Lordship sent me by his Majestie's direction, his Majestie liketh it in every point soe well, both in matter and forme, that he findeth no cause to alter a word in it, and would have your Lordship acquaint the Lords of the Councel with it (though he assureth himselfe, no man can find any thing in it to be changed) and to take order for the speedy setting it forth. And so I rest, *Yours,* &c.

Theobalds, 21 Dec.
1620.

G. Buckingham.

From the Original. ♀

To the Lord Chancellor.

I Have acquainted his Majestie with your letter and the inclosed, the matter which his Majestie hath been thinking

thinking upon for his speech, concerneth both the points of the institution of a Parliament, and of the end for which this is called, yet his Majesty thinketh it fit that some extract be made out of it which needeth to be but very short, as he will shew you at his return. *Yours, &c.*

Theobalds, 19 January
1620.

G. Buckingham.

From the Journal of the House of Lords.

*To the Right Honourable his very good Lords,
the Lords Spiritual and Temporal in the Upper-
House of Parliament assembled.*

My very good Lords,

I Humbly pray your Lordships all, to make a favourable and true construction of my absence. It is no feigning or fainting, but sickness both of my heart and of my back, though joined with that comfort of mind, that persuadeth me that I am not far from Heaven, whereof I feel the first fruits.

And because whether I live or die I would be glad to preserve my honour and fame, so far as I am worthy; hearing that some complaints of base bribery are coming before your Lordships; my requests unto your Lordships are:

First, That you will maintaine me in your good opinion, without prejudice, until my cause be heard.

Secondly, That in regard I have sequestred my mind at this time in great part from worldly matters, thinking of my account and answers in a higher Court; your Lordships will give me convenient time, according to the course of

other

other Courts, to advise with my Counsel, and to make my answer; wherein nevertheless, my Counsel's part will be the least: For I shall not, by the grace of God, trick up an innocency with cavillations, but plainly and ingenuously (as your Lordship's know my manner is) declare what I know or remember.

Thirdly, That according to the course of Justice, I may be allowed to except to the witnesses brought against me; and to move questions to your Lordships for their cross examinations; and likewise to produce my own witnesses for the discovery of the truth.

And *lastly*, That if there be any more petitions of like nature, that your Lordships would be pleased not to take any prejudice or apprehension of any number or muster of them, especially against a Judge, that makes two thousand orders and decrees in a year (not to speak of the courses that have been taken for hunting out complaints against me) but that I may answer them according to the rules of justice, severally and respectively.

These requests I hope appear to your Lordships no other than just. And so thinking my self happy to have so noble Peers, and reverend Prelates to discern of my cause; and desiring no priviledge of greatness for subterfuge of guiltiness; but meaning, as I said, to deal fairly and plainly with your Lordships, and to put my self upon your honours and favours; I pray God to bless your Counsels and Persons. And rest *Your Lordships humble Servant*,

19 March 1620.

Fr. St. Alban, *Canc.*

To

To the Marquis of Buckingham.

My very good Lord,

YEfterday I know was no day; now I hope I shall hear from your Lordship, who are my anchor in these floods. Mean while to ease my heart, I have written to his Majestie the inclosed, which I pray your Lordship to read advisedly, and to deliver it, or not to deliver it, as you think good. God ever prosper your Lordship.
Yours ever, &c.

25 March 1621.

Fr. St. Alban, *Canc.*

To the KING.

It may please your most excellent Majestie,

TIME hath been, when I have brought unto you *Gemitum Columbæ* from others, now I bring it from my self. I fly unto your Majestie with the wings of a Dove, which once within these seven days I thought would have carried me a higher flight. When I enter into my self, I find not the materials of such a tempest as is come upon me. I have been (as your Majestie knoweth best) never author of any immoderate counsel, but always desired to have things carried *suavibus modis*. I have been no avaritious oppressor of the people. I have been no haughty, or intolerable, or hateful man, in my conversation or carriage. I have inherited no hatred from my father, but am a good patriot born. Whence should this be? For these are the things that use to raise dislikes abroad.

For

For the House of Commons, I began my credit there, and now it must be the place of the sepulture thereof; and yet this Parliament, upon the message touching Religion, the old love revived, and they said, I was the same man still, only honesty was turned into honour.

For the Upper-house, even within these days, before these troubles, they seemed as to take me into their arms, finding in me ingenuity, which they took to be the true streight line of nobleness, without any crookes or angles.

And for the briberies and gifts wherewith I am charged, when the books of hearts shall be opened, I hope I shall not be found to have the troubled fountain of a corrupt heart, in a depraved habit of taking rewards to pervert justice; howsoever I may be frail, and partake of the abuses of the times.

And therefore I am resolved, when I come to my answer, not to trick my innocency, (as I writ to the Lords) by cavillations, or voydances; but to speak to them the language that my heart speaketh to me, in excusing, extenuating, or ingenuously confessing: Praying to God to give me the grace to see the bottom of my faults, and that no hardness of heart do steal upon me, under shew of more neatness of conscience than is cause. But not to trouble your Majestie any longer, craving pardon for this long mourning letter; that which I thirst after, as the hart after the streams, is, that I may know by my matchless friend that presenteth to you this letter, your Majestie's heart (which is an *abyssus* of goodness, as I am an *abyssus* of misery) towards me. I have been ever your man, and counted my self but an usufructuary of my self, the property being yours. And now making my self an oblation

Letters of the Lord

to do with me as may best conduce to the honour of your justice, the honour of your mercy, and the use of your service, resting as *Clay in your Majestie's gracious Hands,*

Fr. St. Alban, *Canc.*

From the Register.

To the KING.

It may please your most excellent Majestie,

I Think my self infinitely bounden to your Majestie, for vouchsafing me accessse to your Royal Person, and to touch the hemme of your garment. I see your Majestie imitateth him that would not break the broken reede, nor quench the smoking flax; and as your Majestie imitateth *Christ*, so I hope assuredly my Lords of the Upper-house will imitate you, and unto your Majestie's grace and mercy, and next to my Lords I recommend my self. It is not possible, nor it were not safe, for me to answer particulars till I have my charge; which when I shall receive, I shall without figg leaves or disguise excuse what I can excuse, extenuate what I can extenuate, and ingenuously confesse what I can neither clear nor extenuate. And if there be any thing which I mought conceive to be no offence, and yet is, I desire to be informed, that I may be twice penitent, once for my fault, and the second time for my error, and so submitting all that I am to your Majestie's Grace, I rest,

20 April, 1621.

I

From

From the Journal of the House of Lords.

To the Right Honourable the Lords of the Parliament, in the Upper House assembled, the humble Submission and Supplication of the Lord Chancellor.

It may please your Lordships,

I Shall humbly crave at your Lordship's hands a benign interpretation of that which I shall now write; for words that come from wasted spirits, and an oppressed mind, are more safe in being deposited in a noble construction, than in being circled with any reserved caution.

This being moved, and as I hope obtained, in the nature of a protection for all that I shall say; I shall now make into the rest of that wherewith I shall at this time trouble your Lordships, a very strange entrance: For in the midst of a state of as great affliction, as I think a mortal Man can endure, (honour being above life) I shall begin with the professing of gladness in some things.

The first is, that hereafter the greatness of a Judge or Magistrate shall be no sanctuary or protection of guiltiness; which in few words is the beginning of a golden world.

The next, that after this example it is like that Judges will fly from any thing that is in the likeness of corruption, (though it were at a great distance) as from a serpent; which tendeth to the purging of the Courts of Justice, and the reducing them to their true honour and splendor.

And in these two points, (God is my witness) that though it be my fortune to be the anvil, whereupon those

good effects are beaten and wrought, I take no small comfort.

But to pass from the motions of my heart, whereof God is onely Judge, to the merits of my cause, whereof your Lordships are Judges, under God and his Lieutenant. I do understand there hath been heretofore expected from me some justification: And therefore I have chosen one onely justification out of the justification of *Job*. For after the clear submission and confession which I shall now make unto your Lordships, I hope I may say and justify with *Job* in these words, *I have not hid my sins, as did Adam, nor concealed my faults in my bosom.* This is the onely justification which I will use.

It resteth therefore, that without fig leaves I do ingenuously confess and acknowledge, that having understood the particulars of the charge, not formally from the House, but enough to inform my conscience and my memory; I find matters sufficient and full, both to move me to desert my defence, and to move your Lordships to condemn and censure me.

Neither will I trouble your Lordships by singling those particulars which I think might fall off, *Quid te exempta juvat spinis de pluribus una?* Neither will I prompt your Lordships to observe upon the proofs, where they come not home, or the scruple touching the credit of the witnesses. Neither will I represent to your Lordships, how far a defence in divers things might extenuate the offence in respect of the time and manner of the gift, or the like circumstances. But onely leave these things to spring out of your own noble thoughts, and observations of the evidence, and examinations themselves; and charitably to

wind about the particulars of the charge, here and there as God shall put into your minds, and so submit my self wholly to your piety and grace.

And now I have spoken to your Lordships as Judges, I shall say a few words to you as Peers and Prelates; humbly commending my cause to your noble minds, and magnanimous affections.

Your Lordships are not simply Judges, but parliamentary Judges; you have a farther extent of arbitrary power than other Courts. And if your Lordships be not tied by ordinary courses of Courts, or presidents in points of strictness and severity; much more in points of mercy and mitigation.

And yet if any thing which I shall move might be contrary to your worthy ends to introduce a reformation, I should not seek it: But herein I beseech your Lordships to give me leave to tell you a story. *Titus Manlius* took his son's life for giving battle against the prohibition of his General: Not many years after the like severity was pursued by *Papirius Cursor* the Dictator, against *Quintus Maximus*; who being upon the point to be sentenced, by the intercession of some principal persons of the Senate, was spared: Whereupon *Livy* maketh this grave and gracious observation; *neque minus firmata est disciplina militaris periculo Quinti Maximi, quàm miserabili supplicio Titi Manlii*, the discipline of war, was no less established by the questioning of *Quintus Maximus*, than by the punishing of *Titus Manlius*. And the same reason is of the reformation of justice; for the questioning of men of eminent places hath the same terror, though not the same rigor with the punishment.

But

But my case standeth not there; for my humble desire is, that his Majestie would take the Seal into his hands, which is a great downfal, and may serve I hope in it self for an expiation of my faults.

Therefore, if mercy and mitigation be in your power, and do no ways cross your noble ends, why should I not hope of your Lordships's favour and commiseration?

Your Lordships will be pleased to behold your chief pattern the King our Sovereign, a King of incomparable clemency, and whose heart is inscrutable for wisdom and goodness. Your Lordships will remember that there sat not these hundred years before, a Prince in your house, and never such a Prince whose presence deserves to be made memorable by records and acts mixed of mercy and justice. Your Lordships are either Nobles, (and compassion ever beateth in the veins of noble blood) or reverend Prelates, who are the servants of him, who would not break the bruised reed, nor quench the smoking flax. You all sit upon one high stage, and therefore cannot but be more sensible of the changes of the world, and of the fall of any of high place.

Neither will your Lordships forget that there are *vitia temporis*, as well as *vitia hominis*; and that the beginning of reformation hath the contrary power of the pool of *Bethesda*; for that had strength to cure him only, that was first cast in, and this hath commonly strength to hurt him onely that is first cast in. And for my part, I wish it may stay there and go no further.

Lastly, I assure my self your Lordships have a noble feeling of me, as a member of your own body, and one that in this very session had some taste of your loving affections;

ctions; which I hope was not a lightening before the death of them, but rather a spark of that grace, which now in the conclusion will more appear.

And therefore my humble suit to your Lordships is, that my penitent submission may be my sentence, and the loss of the Seal my punishment; and that your Lordships will spare any further sentence, but recommend me to his Majestie's grace and pardon for all that is past. God's holy spirit be among you. *Your Lordship's humble Servant, and Suppliant,*

Fr. St. Alban, *Canc.*

22 April 1621.

From the Register.

To the KING.

It may please your Majestie,

IT hath pleased God for these three daies past, to visit me with such extremitie of headach upon the hinder part of my head, fixed in one place, that I thought verily it had been some Impostumation; and then the little physick that I have, told me, that either it must grow to a Congelation, and so to a Lethargie; or to break, and so to a mortal fever or sudden death: which apprehension (and chiefly the anguish of the paine) made me unable to think of any business. But now that the paine itself is asswaged to be tolerable, I resume the care of my business, and therein prostrate my self again by my letter at your Majestie's feet.

Your Majestie can bear me witness, that at my last so comfortable accessse, I did not so much as move your Majestie

jestie by your absolute power of pardon, or otherwise, to take my cause into your hands, and to interpose between the sentence of the House. And according to my desire, your Majestie left it to the sentence of the House by my Lord *Treasurers* report.

But now if not *per omnipotentiam* as the Divines say, but *per potestatem suaviter disponentem*, your Majestie will graciously save me from a sentence, with the good likeing of the House, and that cup may pass from me, it is the utmost of my desires. This I move with the more belief, because I assure my self, that if it be Reformation that is sought, the very taking away of the Seale, upon my general submission, will be as much in example, for these four hundred yeares, as any further severity.

The meanes of this, I most humbly leave unto your Majestie, but surely I should conceive, that your Majestie opening your self in this kind to the Lords Counsellors, and a motion of the *Prince*, after my submission, and my Lord *Marquis* using his interest with his friends in the House, may effect the sparing of the sentence; I making my humble suite to the House for that purpose, joyned with the deliverie up of the Seale into your Majestie's hands. This is my last suite that I shall make to your Majestie in this business, prostrating my self at your mercy seate, after fifteen yeares service, wherein I have served your Majestie in my poor endeavours, with an intyre heart. And, as I presume to say unto your Majestie, am still a Virgin, for matters that concerne your Person or Crowne, and now only craving that after eight steps of honour, I be not precipitated altogether.

But because he that hath taken brybes, is apt to give brybes,

brybes, I will goe further, and present your Majestie with brybe; for if your Majestie give me peace and leisure, and God give me life, I will present you with a good *History of England*, and a better *Digest* of your *Lawes*. And so concluding with my prayers, I rest *Clay in your Majestie's hands*.

2 May, 1621.

Fr. St. Alban.

From the Register. ♀

To the Prince of Wales.

It may please your Highness,

W HEN I call to mynd, how infinitely I am bound to your Highness, that stretched forth your arme to save me from a sentence: that took hold of me to keep me from being plunged deep in a sentence: that hath kept me alive in your gracious memory and mention since the sentence: pitying me as (I hope) I deserve, and valueing me far above that I can deserve: I find my wordes almost as barren as my fortunes, to expresse unto your Highness the thankfullness I owe. Therefore I can but resort to prayers to Almighty God to clothe you with his most rich and pretious blessings, and likewise joyfully to meditate upon those he hath conferred upon you already; in that he hath made you to the *King* your Father, a principal part of his safety, contentment and continuance; in your *self* so judicious, accomplished and gracefull in all your doings, with more vertues in the budde, (which are the sweetest) than have been knowne in a young Prince, of long time: with the *Realm* so well beloved, so much honoured, as it is men's daily observation how nearly you approach to his

U

Majestie's

Majestie's perfections; how every day you exceed your self; how compared with other Princes, which God hath ordained to be young at this time, you shine amongst them; they rather setting off your religious, moral, and natural excellencies, than matching them, though you be but a second person. These and such like meditations I feed upon, since I can yield your Highness no other retribution. And for my self, I hope by the assistance of God above (of whose grace and favour I have had extraordinary signes and effects during my afflictions) to lead such a life in the last acts thereof, as whether his Majesty employ me, or whether I live to my self, I shall make the world say that I was not unworthy such a patron.

I am much beholding to your Highness's worthy servant Sir *John Vaughan*, the sweete ayre, and loving usage of whose house hath alreadie much revived my languishing spirits, I beseech your Highness, thank him for me. God ever preserve and prosper your Highness. *Your Highnesses most humble and most bounden Servant,*

1 June 1621.

Fr. St. Alban.

From the Register. ✽

To the KING.

It may please your most excellent Majestie,

I Humbly thank your Majestie for my liberty, without which timely graunt, any farther grace would have come too late. But your Majestie that did shed tears in the beginning of my trouble, will, I hope, shed the dew of your grace and goodness upon me in the end. Let me live

live to serve you, else life is but the shadow of death, to
Your Majestie's most devoted Servant,

4 June 1621.

Fr. St. Alban.

From the Register. ✽

To the Marquis of Buckingham.

My very good Lord,

I Heartily thank your Lordship for getting me out of
 prison, and now my body is out, my mynd neverthe-
 less will be still in prison, till I may be on my feet to do
 his Majestie and your Lordship, faithful service. Where-
 in your Lordship by the grace of God, shall find that my
 adversitie hath neither spent, nor pent my Spirits. God
 prosper you. *Your Lordship's most obliged Friend and
 faithful Servant,*

4 June 1621.

Fr. St. Alban.

From the Register. ✽

A Memorial for his Majestie's Service.

FOR that your Majestie is pleased to call for my opi-
 nion, concerning the sacred intention you have to
 goe on with the reformation of your *Courts of Justice*, and
 relieving the grievances of your people, which the Parlia-
 ment hath entred into, I shall never be a Recusant, though
 I be confined to doe you service.

Your Majestie's *Starchamber* next your Court of *Par-
 liament*, is your highest Chaire. You never came upon
 that mount, but your garments did shine before you went
 off. It is the supreme Court of judicature ordinary, it is

an open Council; nothing I would think can be more seasonable (if your other appointments permit it) than if your Majestie will be pleased to come thither in person, the morrow after this Term, (which is the time anniversary, before the Circuits and the long Vacation) and there make an open declaration, that you purpose to pursue the reformation, which the Parliament hath begun.

That all things goe well, in all affairs, when the ordinary and extraordinary are well mingled, and tempered together. That in matters of your Treasure, you did relye upon your Parliament for the extraordinary, but you were ever desirous to doe what you could by improvements, retrenchments, and the like, to set the ordinary in good frame, and establishment. That you are in the same mind in matter of reformation of Justice, and Grievance, to assist your self with the advice, and authority of Parliament at times, but mean while to goe on with the same intentions, by your own regal power and care. That it doth well in Church musick when the greatest part of the *Himne* is sung by one voice, and then the choire at all times falls in sweetly and solemnly, and that the same harmony forteth well in Monarchie, between the King and his Parliament.

That all great Reformations are best brought to perfection by a good correspondence between the King and his Parliament, and by well sorting the matters and the tymes; for in that which the King doth in his ordinary administration, and proceedings, neither can the information be so universal, nor the complaint so well encouraged, nor the references soe many times free from private affection, as when the King proceedeth by Parliament; on the other
side,

side, that the Parliament wanteth time to go through with many things; besides, some things are of that nature, as they are better discerned, and resolved by a few, than by many.

Again, some things are so merely regal, as it is not fit to transfer them; and many things, whereof it is fit for the King to have the principal honour and thanks.

Therefore, that according to these differences and distributions, your Majestie meaneth to go on, where the Parliament hath left, and to call for the memorials, and inchoations of those things, which have passed in both Houses, and to have them pass the fyle of your Council, and such other assistantes as shall be thought fit to be called respectively, according to the nature of the business, and to have your learned Counsel search Presidents what the King hath done for matter of Reformation as the Parliament hath informed themselves by Presidents what the Parliament hath done; and thereupon that the clock be set, and resolutions taken: what is to be holpen by commision, what by act of Council, what by Proclamation, what to be prepared for Parliament, what to be left wholly for Parliament?

That if your Majestie had done this before a Parliament, it mought have been thought to be done to prevent a Parliament, whereas, now it is to pursue a Parliament, and that by this means, many grievances shall be answered by deed, and not by word; and your Majestie's care shall be better than any standing Committee in this interim between the meetings of Parliament.

For the particulars, your Majestie in your grace and wisdom, will consider, how improper and how unwarranted

ranted a thing it is, for me, as I now stand, to send for entries of Parliament, or for searches for presidents, whereupon to ground an advice, and besides what I should now say, may be thought by your Majesty (how good an opinion soever you have of me) much more by others, to be busie or officious, or relating to my present fortunes.

From the Register. ♀

To the Marquis of Buckingham.

My very good Lord,

YOUR Lordship I know, and the King both, mought think me very unworthy of that I have been, or that I am, if I should not by all meanes desyre to be freed from the restraint which debarreth me from approach to his Majestie's person, which I ever so much loved, and admired ; and severeth me likewise from all conference with your Lordship, which is my second comfort. Nevertheless, if it be conceived that it may be matter of inconvenience, or envy, my particular respects must give place, only in regard of my present urgent occasions, to take some present order for the debts that presse me most. I have petitioned his Majestie to give me leave to stay at *London* till the last of *July*, and then I will dispose of my abode according to the Sentence. I have sent to the *Prince* to joyne with you in it, for though the matter seem small, yet it importeth me much. God prosper you.
Your Lordship's true Servant,

10 June, 1621.

Fr. St. Alban.

From the Register. ♀

To the Marquis of Buckingham.

My very good Lord,

I Humbly thank your Lordship for the grace and favour you did both to the message, and Messenger, in bringing Mr. *Meautys* to kiss his Majestie's hands, and to receive his pleasure from himself. My riches in my adversity have been, that I have had a good Master, a good Friend, and a good Servant.

I perceive by Mr. *Meautys* his Majestie's inclination, that I should goe first to *Gorbambury*; and his Majestie's inclinations, have ever been with me instead of directions. Wherefore I purpose, God willing, to goe thither forthwith, humbly thanking his Majesty, nevertheless that he meant to have put my desyre in my petition contained, into a way, if I had insisted upon it, but I will accomodate my present occasions as I may, and leave the times, and seasons, and waies, to his Majestie's grace and choice.

Only I desire his Majestie to bear with me if I have pressed unseasonably. My Letters out of the Tower were *de profundis*, and the world is a prison, if I may not approach his Majestie, finding in my heart as I doe. God preserve and prosper his Majestie and your Lordship.
Your Lordship's faithful and bounden Servant,

22 June. 1621.

Fr. St. Alban.

From

From the Register. ✱

To the Marquis of Buckingham.

My very good Lord,

I Thank God I am come very well to *Gorbambury*, wherof I thought your Lordship would be glad to heare sometimes ; my Lord, I wish my self by you in this stirring world, not for any love to place or business, for that is almost gone with me, but for my love to your self, which can never cease in *Your Lordship's most obliged Friend and true Servant*,

Fr. St. Alban.

Being now out of use and out of fight, I recommend my selfe to your Lordship's love and favour, to maintaine me in his Majestie's grace and good intention.

To the KING.

It may please your most excellent Majestie,

I Perceive by my noble and constant friend, the *Marquis* that your Majestie hath a gracious inclination towards me, and taketh care of me, for fifteen yeares the subject of your favour, now of your compassion, for which I most humbly thank your Majestie. This same *Nova Creatura* is the worke of God's pardon and the King's, and since I have the inward seale of the one, I hope well of the other.

Utar, saith *Seneca* to his Master, *magnis exemplis ; nec meæ fortunæ, sed tuæ. Demosthenes* was banished for bribery of the highest nature, yet was recalled with honour,

Marcus

Marcus Livius was condemned for exactions, yet afterwards made Consul and Censor. *Seneca* banished for divers corruptions, yet was afterwards restored, and an instrument of that memorable *Quinquennium Neronis*. Many more. This if it please your Majestie, I do not say, for appetite of employment, but for hope that if I do by my self as is fit, your Majestie will never suffer me to dye in want or dishonour. I do now feed myself upon remembrance, how when your Majestie used to go a progresse, what loving and confident charges you were wont to give me touching your business. For as *Aristotle* sayth, young men may be happy by hope, so why should not old men, and sequestred men, by remembrance. God ever prosper and preserve your Majestie. *Your Majestie's most bounden and devoted Servant,*

16 July 1621.

Fr. St. Alban.

From the Original. ♀

To the Lord St. Alban.

My Honourable Lord,

I Have delivered your Lordship's letter of thanks to his Majestie, who accepted it very graciously, and will be glad to see your book, which you promised to send very shortly, as soon as it cometh. I send your Lordship his Majestie's warrant for your pardon, as you desired it, but am sorry, that in the current of my service to your Lordship, there should be the least stop of any thing; yet having moved his Majestie, upon your Servant's intimation, for your stay in *London* till *Christmas*, I found his

X

Majestie,

Majestie, who hath in all other occasions, and even in that particular already, to the dislike of many of your own Friends, shewed with great forwardness his gracious favour towards you, very unwilling to grant you any longer liberty to abide there; which being but a small advantage to you, would be a great and general distaste, as you cannot but easily conceive, to the whole state. And I am the more sorry for this refusal of his Majestie's, falling in a time when I was a suitor to your Lordship in a particular concerning my selfe, wherein though your Servant insisted further than, I am sure, would ever enter into your thoughts, I cannot but take it as a part of a faithful Servant in him. But if your Lordship, or your Lady, find it inconvenient for you, to part with the House, I would rather provide my self otherwise, than any way incommode you, but will never slack anything of my affection to do you service; whereof, if I have not yet given good prooffe, I will desire nothing more, than the fittest occasion to shew how much I am, *Your Lordship's faithful Servant,*

October 1621.

G. Buckingham.

From the Original. ♀

To the Marquis of Buckingham.

My very good Lord,

AN unexpected accident maketh me hasten this letter to your Lordship, before I could dispatch Mr. Meautis, it is that my Lord Keeper hath staid my pardon at the Seal. But it is with good respect; for he saith it shall be private, and then he would forthwith write to your
 Lordship,

Lordship, and would pass it if he received your pleasure; and doth also shew his reason of stay, which is, that he doubteth the exception of the sentence of Parliament is not well drawn, nor strong enough, which if it be doubtful my Lord hath great reason. But sure I am, both my self, and the King, and your Lordship, and Mr. *Attorney*, meant cleerly, and I think Mr. *Attorney*'s pen hath gone well. My humble request to your Lordship is, that for my Lord's satisfaction Mr. *Sollicitor* may be joined with Mr. *Attorney*, and if it be safe enough, it may goe on; if not it may be amended. I ever rest, *Your Lordship's most obliged Friend and faithful Servant*,

18 October 1621.

Fr. St. Alban.

*From the Original. ‡**To the Lord St. Alban.**My Honourable Lord,*

I Have brought your Servant along to this place, in expectation of the letter from the Lord *Keeper*, which your Lordship mentioneth in yours, but having not yet received it, I cannot make answer to the business you write of. And therefore thought fit not to detain your Man here any longer, having nothing else to write, but that I always rest, *Your Lordship's faithful Friend and Servant*,

G. Buckingham.

Hinchenbrook, 20 Oct. 1621.

*Letters of the Lord**From the Original. ***To the Lord St. Alban.**My noble Lord,*

NOW that I am provided of a House I have thought it congruous to give your Lordship notice thereof, that you may no longer hang upon the treaty, which hath been between your Lordship, and me, touching *York-house*; in which I assure your Lordship, I never desired to put you to the least inconvenience, so I rest *Your Lordship's Servant*,

G. Buckingham.

*From the Original. ***To the Lord St. Alban.**My Lord,*

I Am glad your Lordship understands me so rightly in my last letter, I continue still in the same mind, for I thank God, I am settled to my contentment; and so I hope you shall enjoy yours, with the more, because I am so well pleased in mine. And, my Lord, I shall be very far from takeing it ill, if you part with it to any else, judging it alike unreasonableness, to desire that which is another man's, and to bind him by promise or otherwise not to let it to another.

My Lord, I will move his Majestie to take commiseration of your long^a Imprisonment, which in some respects both you and I have reason to think harder, than the

^a Restraint from coming within the verge of the Court.

Tower;

Tower; you for the help of Physick, your parly with your Creditors, your conference for your writings, and studies, dealing with friends about your business, and I for this advantage to be sometimes happy in visiting and conversing with your Lordship, whose company I am much desirous to enjoy, as being tyed by antient acquaintance, to rest, *Your Lordship's faithful Friend and Servant,*

G. Buckingham.

To the Marquis of Buckingham.

My very good Lord,

THese main and real favours which I have lately received from your good Lordship in procuring my liberty, and a reference of the consideration of my release, are such as I now find, that in building upon your Lordship's noble nature and friendship, I have built upon the rock, where neither winds or waves can cause overthrow. I humbly pray your Lordship to accept from me such thanks as ought to come from him whom you have much comforted in fortune, and much more comforted in shewing your love and affection to him, of which I have heard by my Lord of *Faulkland*, Sir *Edward Sackville*, Mr. *Mathew*, and otherwise.

I have written, as my duty was, to his Majestie, thanks touching the same, by the letter I here put into your noble hands.

I have made also, in that letter, an offer to his Majestie, of my Service, for bringing into better order and frame the Laws of *England*. The declaration whereof, I have left

Letters of the Lord

left with Sir *Edward Sackville*, because it were no good manners to clog his Majestie, at this time of triumph and recreation, with a business of this nature, so as your Lordship may be pleased to call for it to Sir *Edward Sackville*, when you think the time reasonable.

I am bold likewise to present your Lordship with a Book of my History of King *Henry VII.* and now, that in summer was twelve months, I dedicated a Book to his Majestie, and this last summer, this Book to the Prince, your Lordship's turn is next; and this summer that cometh (if I live to it) shall be yours. I have desired his Majestie to appoint me the taske, otherwise I shall use my own choice, for this is the best retribution I can make to your Lordship. God prosper you. I rest, *Your Lordship's most obliged Friend and faithful Servant,*

Gorbamby, this 20th of
March 1621.

Fr. St. Alban.

*To the Right Honourable his very good
Lord the Lord Marquis of Bucking-
ham, bigb Admiral of England.*

To the KING.

It may please your most excellent Majestie,

IN the midst of my misery, which is rather asswaged by remembrance than by hope, my chiefest worldly comfort is to thinke that since the time I had the first Vote of the Commons-house of Parliament for Commissioner of the Union, untill the time that I was this last Parliament chosen by both Houses for their Messenger to your Majesty in the petition of Religion, (which two were my first and last Services) I was evermore so happy as to have
my

my poor services graciously accepted by your Majestie, and likewise not to have had any of them miscarry in my hands. Neither of which points I can any ways take to my self, but ascribe the former to your Majestie's goodness, and the latter to your prudent directions; which I was ever careful to have and keep. For as I have often said to your Majestie, I was towards you but as a bucket and a cistern, to draw forth and conserve, your self was the Fountain. Unto this comfort of nineteen years prosperity, there succeeded a comfort even in my greatest adversity, somewhat of the same nature; which is, that in those offences wherewith I was charged, there was not any one that had special relation to your Majestie, or any your particular commandements. For as towards Almighty God, there are offences against the first and second Table, and yet all against God; so with the Servants of Kings, there are offences more immediate against the Sovereign: although all offences against Law are also against the King. Unto which comfort there is added this circumstance, that as my faults were not against your Majestie, otherwise than as all faults are; so my fall was not your Majestie's act, otherwise than as all acts of justice are yours. This I write not to insinuate with your Majestie, but as a most humble appeal to your Majestie's gracious remembrance, how honest and direct you have ever found me in your service; whereby I have an assured belief, that there is in your Majestie's own princely thoughts, a great deal of serenity and clearness to me your Majestie's now prostrate and cast down servant.

Neither (my most gracious Sovereign) do I by this mention of my services, lay claim to your princely grace
and

and bounty, though the priviledge of calamity doth bear that form of petition. I knowe well, had they been much more, they had been but my bounden duty. Nay, I must also confesse, that they were from time to time, far above my merit, over and superrewarded by your Majestie's benefits which you heaped upon me. Your Majestie was and is that Master to me, that raised and advanced me nine times; thrice in dignity, and six times in office. The places indeed were the painfulllest of all your services; but then they had both honour and profits. And the then profits might have maintained my now honour, if I had been wise: neither was your Majestie's immediate liberality wanting towards me in some gifts, if I may hold them. All this I do most thankfully acknowledge, and do herewith conclude, That for any thing arising from my self to move your eye of pity towards me, there is much more in my present misery, than in my past services; save that the same your Majesty's goodness, that may give relief to the one, may give value to the other.

And indeed, if it may please your Majestie this theme of my misery is so plentiful as it need not be coupled with any thing else. I have been some body by your Majestie's singular and undeserved favour, even the prime Officer of your Kingdom; your Majestie's arm hath been over mine in Council, when you presided at the table; so near I was. I have born your Majestie's Image in metal, much more in heart; I was never in nineteen years service chidden by your Majestie, but contrariwise often overjoyed, when your Majestie would sometimes say I was a good husband for you, though none for my self: sometimes, that I had a way to deal in business, *suavibus modis*, which was the way

way which was most according to your own heart : and other most gracious speeches of affection and trust, which I feed on to this day. But why should I speak of these things which are now vanished, but only the better to express the downfall ?

For now it is thus with me ; I am a year and half old in misery ; though I must ever acknowledge, not without some mixture of your Majestie's grace and mercy ; for I do not think it possible, that any you once loved should be totally miserable. Mine own means through my own improvidence are poor and weak, little better than my father left me. The poor things that I have had from your Majestie, are either in question, or at courtesie. My dignities remain marks of your favour, but burdens of my present fortune. The poor remnants which I had of my former fortunes, in Plate or Jewels, I have spread upon poor men unto whom I owed, scarce leaving my self a convenient subsistence. So as to conclude, I must pour out my misery before your Majestie, so far as to say, *Si deseris tu, perimus.*

But as I can offer to your Majestie's compassion, little arising from my self to move you, except it be my extream misery, which I have truly laid open ; so looking up to your Majestie's own self, I should think I committed *Cain's* fault, if I should despair. Your Majestie is a King whose heart is as unscrutable for secret motions of goodness, as for depth of wisdom. You are Creator like, factive and not destructive. You are the Prince in whom hath been ever noted an averfation against any thing that favoured of an hard heart ; as, on the other side, your princely eye was wont to meet with any motion that was

made on the relieving part. Therefore as one that hath had the happiness to know your Majestie near hand, I have (most gracious Sovereign) faith enough for a miracle, much more for a grace, that your Majestie will not suffer your poor creature to be utterly defaced, nor blot that name quite out of your book, upon which your sacred hand hath been so oft for new ornaments and additions.

Unto this degree of compassion, I hope God above (of whose mercy towards me, both in my prosperity and adversity I have had great testimonies and pledges, though my own manifold and wretched unthankfulness might have averted them) will dispose your princely heart, already prepared to all piety. And why should I not think, but that thrice noble Prince, who would have pulled me out of the fire of a sentence, will help to pull me (if I may use that homely phrase) out of the mire of an abject and fordid condition in my last days: and that excellent Favourite of yours, (the goodness of whose nature contendeth with the greatness of his fortune; and who counteth it a prize, a second prize, to be a good friend, after that prize which he carrieth to be a good servant) will kiss your hands with joy for any work of piety you shall do for me. And as all commiserable persons (especially such as find their hearts void of all malice) are apt to think that all men pity them; I assure my self that the Lords of your Council, who out of their wisdom and nobleness, cannot but be sensible of human events, will in this way which I go, for the relief of my estate, further and advance your Majestie's goodness towards me. For there is as I conceive a kind of fraternity between great men, that are, and those that have been, being but the several tenes

of one verbe; nay, I do further presume, that both Houses of Parliament will love their justice the better if it end not in my ruin. For I have been often told, by many of my Lords, as it were in excusing the severity of the sentence, that they knew they left me in good hands. And your Majestie knoweth well, I have been all my life long acceptable to those Assemblies, not by flattery, but by moderation, and by honest expressing of a desire to have all things go fairly and well.

But, if it may please your Majestie (for Saints, I shall give them reverence, but no adoration, my address is to your Majestie, the fountain of goodness;) your Majestie shall by the grace of God, not feel that in gift, which I shall extremely feel in help; for my desires are moderate, and my courses measured to a life orderly and reserved, hoping still to do your Majestie honour in my way. Only I most humbly beseech your Majestie to give me leave to conclude with those words which necessity speaketh: help me (*dear Sovereign Lord and Master*) and pity me so far, as I that have born a bag, be not now in my age forced in effect to bear a wallet; nor I that desire to live to study, may not be driven to study to live^a. I most

^a The learned Monsieur *Le Clerc*, in his *Discourse of liberality, and the obligations that are upon Princes, &c. to extend their bounty to learned men*, in respect of the benefit the world receives from them, expresses his sense of the honour which was due to the memory of those who assisted *Erasmus* and *Grotius*, and his resentment of the neglect of King *James*, for deserting the Lord *Bacon*: One cannot read, saith he, without indignation, that which is reported of the famous Chancellor of England, Francis Bacon, whom the King suffered to languish in poverty, whilst he preferred worthless persons to his dishonour. A little before his death, this learned Man writ to that Prince a bemoaning Letter; and then cites this moving conclusion out of *Howell's Letters*; which though that Author thought it argued a little abjection of spirit in my Lord *Bacon*; yet Monsieur *Le Clerc* thinks it shewed a much lower in the King, to permit so able a man to lye under the necessity of making so sad a request, and yet withal to afford no relief. Chap. 12. *Of the reflections upon Fortune.*

Letters of the Lord

humbly crave pardon of a long letter, after a long silence. God of heaven ever blefs, preserve, and prosper your Majesty. *Your Majesty's poor ancient Servant and Beadsmān,*

Fr. St. Alban.

To the KING.

May it please your Majesty,

I Acknowledge my selfe in all humbleness infinitely bounden to your Majesty's grace and goodness, for that at the intercession of my noble and constant Friend, my Lord Marquis, your Majesty hath been pleased to grant me that which the Civilians say, is *res inæstimabilis*, my liberty, so that now, when ever God calleth me, I shall not dye a prisoner; nay further, your Majesty hath vouchsafed to rest a second and iterate aspect of your Eye of compassion upon me, in the referring the consideration of my broken estate, to my good Lord, the Treasurer, which as it is a singular bounty in your Majesty, soe I have yet soe much left of a late Commissioner of your Treasure, as I would be sorry to sue for any thing that might seem immodest. These your Majesty's great benefits, in casting your bread upon the waters (as the Scripture saith) because my thanks cannot any ways be sufficient to attaine, I have raised your Progenitor of famous memory, and now I hope of more famous memory than before, King *Henry VII.* to give your Majesty thanks for me, which work most humbly kissing your Majesty's hands, I doe present. And because in the beginning of my trouble, when in the midst of the tempest I had a kenning of the harbour,

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which

which I hope now by your Majestie's favour I am entering into, I made a tender to your Majestie of two works, an History of *England*, and a Digest of your Laws, as I have by a figure of *pars pro toto* performed the one, for I have herewith sent your Majestie by way of an Epistle, a new offer of the other; but my desire is farther, if it stand with your Majestie's good pleasure, since now my Study is my Exchange, and my Pen my Factor for the use of my Talent, that your Majestie (who is a great Master in these things) would be pleased to appoint me some task to write, and that I shall take for an Oracle. And because my Instauration (which I esteem my great work, and do still go on with in silence) was dedicated to your Majestie, and this History of King *Henry VII.* to your lively and excellent Image the Prince, if now your Majesty will be pleased to give me a theme to dedicate to my Lord of *Buckingham*, whom I have for much reason to honour, I should with more alacrity embrace your Majestie's direction than my own choice. Your Majestie will pardon me for troubling you thus long; God evermore preserve and prosper you. *Your Majestie's poor Beadsman most devoted,*

Gorbambury, this 20th
of March, 1621.

Fr. St. Alban.

To the Lord Digby.

My very good Lord,

I Now onely send my best wishes, to follow you at sea and land, with due thanks for your late great favours. God knows, whether the length of your voyage will not exceed the size of my hour-glass. But whilst I live, my
affection

affection to do you service shall remain quick under the ashes of my fortune.

To Mr. Mathewe.

S I R,

IN this solitude of Friends, which is the base court of adversity, where no body almost will be seen stirring, I have often remembred this *Spanisb* saying, *Amor fin fin, no tiene fin*^a. This bids me make choice of your friend and mine, for his noble succours; not now towards the aspiring, but only the respiring of my fortunes. I who am a Man of books have observed, that he hath both the magnanimity of the old *Romans*, and the cordiality of the old *English*; and withal I believe, he hath the wit of both: sure I am, that for my self, I have found him in both my fortunes, to esteem me so much above my just value, and to love me so much above the possibility of deserving, or obliging on my part, as if he were a friend, created and reserved, for such a time as this. You know what I have to say to the great Lord, and I conceive it cannot pass so fitly to him, by the mouth of any, as of this Gentleman; and therefore do your best (which I know will be of power enough) to engage him, both in the substance, and to the secrecy of it: for, I can think of no man but your self, to be used by me in this, who are so private, so faithful, and so discreet a Friend to us both; as on the other side, I dare swear he is, and know my self, to be as true to you as your own heart.

^a That *Love without ends hath no end*, was a saying of *Gondomar* the *Spanisb* Ambassador, meaning thereby, that if it were begun not upon particular ends, it would last. Lord *Bac.* *Spotsbegins*.

To the Marquis of Buckingham.

My very good Lord,

YOUR Lordship will pardon me, if partly in the freedom of adversity, and partly of former friendship, (the sparkes wherof cannot but continue) I open my self to your Lordship, and desire also your Lordship to open your self to me. The two last acts which you did for me, in procuring the releasement of my fine, and my *quietus est*, I acknowledge were effects, real and material, of your love and favour; which as to my knowledge, it never failed me in my prosperity; so in these two things, it seems not to have turned with the wheel. But the extent of these two favours, is not much more than to keep me from persecution. For any thing further, which might tend to my comfort and assistance, as I cannot say to my self, that your Lordship hath forsaken me; so I see not the effects of your undeserved, yea undesired professions and promises; which being made to a person in affliction, hath the nature, after a sort, of vows. But that which most of all makes me doubt of a change, or cooling in your Lordship's affection towards me, is, that being twice now at *London*, your Lordship did not vouchsafe to see me; though by messages you gave me hope thereof, and the latter time I had begged it of your Lordship.

The cause of change, may either be in my self, or your Lordship. I ought first to examine my self, which I have done; and God is my witness, I find all well, and that I have approved my self to your Lordship a true Friend, both in the watery trial of Prosperity, and in the fiery trial

trial of Adversity. If your Lordship take any insatisfaction touching the House ; I humbly pray you, think better of it. For that motion to me, was a second sentence, more grievous than the first, as things then stood, and do yet stand : for it sentenced me to have lost both in mine own opinion, and much more in the opinion of others, that which was saved to me, almost only, in the former sentence ; and which was more dear to me, than all that which was taken from me, which is your Lordship's love and favour. For had it not been for that bitter circumstance, your Lordship knows, that you might have commanded my life, and all that is mine. But surely it could not be that, nor any thing in me, which wrought the change. It is likely, on the other part, that though your Lordship in your nature, I know to be generous and constant, yet I being now become out of sight, and out of use, your Lordship having a flood of new Friends, and your ears possessed perhaps by such as would not leave room for an old, your Lordship may, even by course of the world, and the over-bearing of others, be turned from me : and it were almost a miracle if it should be otherwise. But yet, because your Lordship may still have so heroical a spirit, as to stand out in all these violent assaults, which might have alienated you from your friend ; my humble suit to your Lordship, is, that remembring your former friendship, which began with your beginning, and since that time hath never failed on my part, your Lordship would deal clearly with me, and let me know, whether I continue in your favour or no ; and whether in those poor requests, which I may yet make to his Majesty (whose true Servant I ever was and am) for the tempering of my misery,

I may

I may presume to use your Lordship's favour, and help, as I have done; for otherwise it were a kind of stupidity in me, and a great trouble also to your Lordship, for me not to discern the change, for your Lordship to have an importuner, instead of a friend and a suitor. Though howsoever, if your Lordship should never think of me more, yet in respect of your former favours, which cannot altogether be made void, I must remain, &c.

*To the Right Reverend Father in God, the Lord Bishop of Winchester, Counsellor of Estate to his Majesty *.*

My Lord,

AMongst consolations, it is not the least to represent to a man's self, like examples of calamity in others: for examples give a quicker impression than arguments; and besides, they certify us, that which the Scripture also tendreth for satisfaction, *that no new thing is happened unto us*. This they do the better, by how much the examples are liker in circumstance to our own case; and more especially, if they fall upon persons, that are greater and worthier than our selves. For as it savoureth of vanity, to match our selves highly in our own conceit; so on the other side, it is a good sound conclusion, that if

* The following letter, to the most learned Dr. *Andrews*, Bishop of *Winchester*, was written by my Lord St. *Alban*, in the year 1622, and in the nature of a dedication, prefixed before his *Dialogue*, touching a *Holy War*; which was not printed, at least correctly, till seven years after, by the care of Dr. *Rasoley*. But because it has been found amongst his Lordship's letters and other books, separated from that treatise, and chiefly, because it gives some account of his writings, and behaviour after his retirement, I thought it very proper to insert it in this place.

our betters have sustained the like events, we have the less cause to be grieved.

In this kind of consolation, I have not been wanting to my self; though as a Christian I have tasted (through God's great goodness) of higher remedies. Having therefore, through the variety of my reading, set before me many examples, both of antient, and of latter times; my thoughts, I confess, have chiefly stayed upon three Particulars, as the most eminent, and the most resembling to my case. All three persons that had held chief place of authority in their Countries: all three ruined, not by war, or by any other disaster, but by justice and sentence, as delinquents and criminals: all three famous writers; in so much as the remembrance of their calamity, is now as to posterity, but as a little picture of night-work, remaining amongst the fair and excellent Tables of their acts and works: and all three (if that were any thing to the matter) fit examples to quench any man's ambition of rising again, for that they were every one of them restored with great glory; but to their further ruin and destruction, ending in a violent death. The men were *Demosthenes*, *Cicero*, and *Seneca*; persons that I durst not claim affinity with, except the similitude of our fortunes had contracted it. When I had cast mine eyes upon these examples, I was carried on further to observe how they did bear their fortunes, and principally how they did employ their times, being banished, and disabled from publick business; to the end that I might learn by them, and that they might be as well my counsellors, as my comforters. Whereupon I happened to note, how diversly their fortunes wrought upon them, especially in that point at which I did most aim,

aim, which was the employing of their times and pens. In *Cicero*, I saw, that during his banishment (which was almost two years) he was so softened and dejected, as he wrote nothing but a few womanish Epistles. And yet, in mine opinion, he had least reason of the three to be discouraged; for that, although it was judged, and judged by the highest kind of judgment, in form of a Statute or Law, that he should be banished, and his whole estate confiscated and seized, and his houses pulled down; and that it should be highly penal for any man to propound his repeal: yet his case, even then, had no great blot of ignominy, but it was thought but a tempest of the time which overthrew him. *Demosthenes*, contrariwise, though his case was foul, being condemned for bribery, and not simple bribery, but bribery in the nature of treason and disloyalty; yet, nevertheless, he took so little knowledge of his fortune, as during his banishment, he did much busie himself, and intermeddle with matters of State; and took upon him to counsel the State (as if he had been still at the helm) by letters, as appears by some Epistles of his, which are yet extant. *Seneca* indeed, who was condemned for many corruptions and crimes, and banished into a solitary Island, kept a mean: and though his pen did not freeze, yet he abstained from intruding into matters of business; but spent his time in writing Books of excellent argument and use for all ages, though he might have made better choice sometimes of his dedications.

These examples confirmed me much in a resolution (whereunto I was otherwise inclined) to spend my time, wholly in writing, and to put forth that poor talent or half talent, or what it is that God hath given me, not as

hererofore, to particular Exchangers, but to Banks or Mounts of perpetuity, which will not break.

Therefore having not long fince, fet forth a part of my *Instauration*, which is the work, that in mine own judgment I do moſt eſteem, I think to proceed in ſome new parts thereof. And although I have received from many parts beyond the ſeas, teſtimonies touching that work, ſuch, as beyond which I could not expect at the firſt, in ſo abſtruſe an argument; yet, nevertheleſs, I may have juſt cauſe to doubt, that it flies too much over mens heads. I have a purpoſe to take a courſe therefore (though I break the order of time) to draw it down to the ſenſe by ſome patterns of a *natural* ſtory and inquiſition. And again, for that my Book of *Advancement of learning*, may be ſome preparative or key, for the better opening of the *Instauration*, becauſe it exhibits a mixture of new conceipts and old; whereas the *Instauration* gives the new unmixed, otherwiſe than with ſome little aſperſion of the old, for taſte's ſake, I have thought good to procure a tranſlation of that Book into the general language, not without great and ample additions, and enrichment thereof; eſpecially in the ſecond book, which handleth the partition of Sciences, in ſuch fort, as I hold it may ſerve in lieu of the firſt part of the *Instauration*, and acquit my promiſe in that part.

Again, becauſe I cannot altogether deſert the civil Perſon that I have born; which if I ſhould forget, enough would remember: I have alſo entred into a work touching Laws, propounding a character of Juſtice in a middle term between the ſpeculative and reverend diſcourſes of Philoſophers, and the writings of Lawyers, which are

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tied and obnoxious to their particular Laws. And although it be true, that I had a purpose to make a particular *Digest*, or recompilement of the Laws of mine own Nation; yet because it is a work of assistance, and that that I cannot master by my own forces and pen, I have laid it aside. Now having in the work of my *Instauration*, had in contemplation, the general good of men in their very being; and the dowries of nature; and in my work of Laws, the general good of men likewise in society, and the dowries of government: I thought in duty, I owed somewhat unto my own Country, which I ever loved; infomuch, as although my place hath been far above my desert, yet my thoughts and cares, concerning the good thereof, were beyond and over and above my place: so now, being as I am, no more able to do my Country service, it remained unto me to do it honour; which I have endeavoured to do in my work of the reign of King *Henry VII.* As for my *Essays*, and some other particulars of that nature, I count them but as the recreation of my other studies, and in that sort purpose to continue them; though I am not ignorant, that those kind of writings, would with less pains, and embracement, perhaps yield more lustre and reputation unto my name, than those other which I have in hand. But I account the use that a man should seek of the publishing of his own writings before his death, to be but an untimely anticipation of that, which is proper to follow a man, and not to go along with him.

But revolving with my self, my writings, as well those I have published, as those which I had in hand; methought they went all into the City, and none into the Temple;

Temple; where, because I have found so great consolation, I desire likewise to make some poor oblation. Therefore, I have chosen an argument, mixed of *religious* and *civil* considerations, and likewise mixed between *contemplative* and *active*: for, who can tell whether there may not be an *exoriere aliquis*? great matters (especially if they be religious) have many times, small beginnings; and the platform may draw on the building. This work, because I ever was an enemy to flattering dedications, * I have dedicated to your Lordship, in respect of our ancient and private acquaintance; and because amongst the men of our times, I hold you in especial reverence. *Your Lordship's loving Friend,*

* Vid. the
first Book of *The*
advancement
of *Learning*.

Fr. St. Alban.

From the Original. ♀

To the Lord St. Alban.

My Lord,

I Have dispatched the business your Lordship recommended to me, which I send your Lordship here inclosed, signed by his Majestie, and have likewise moved him for your coming to kisse his Hand, which he is pleased you shall do at *Whitehall* when he returneth next thither. In the mean time I rest, *Your Lordship's faithful Friend and Servant,*

Newmarket, 13 Nov. 1622.

G. Buckingham.

I will give order to my Secretary to wayt upon Sir *John Suckling* about your other business.

Endorsed by the Lord St. Alban's hand.

My Lord of Bucks touching my warrant and acceffe.

To the Marquis of Buckingham.

Excellent Lord,

THough I have troubled your Lordship with many letters, oftner than I think I should, (save that affection keepeth no account) yet upon the repair of Mr. *Mathew*, a Gentleman so much your Lordship's servant, and to me another my self, as your Lordship best knoweth, you would not have thought me a man alive, except I had put a letter into his hand, and withal, by so faithful and approved a man, commended my fortunes afresh unto your Lordship.

My Lord, to speak my heart to your Lordship, I never felt my misfortunes so much as now: not for that part which may concern my selfe, who profit (I thank God for it) both in patience, and in settling mine own courses; but when I look abroad and see the times so stirring, and so much dissimulation and falshood, baseness and envy in the world, and so many idle clocks going in men's heads, then it grieveth me much, that I am not sometimes at your Lordship's elbow, that I might give you some of the fruits of the careful advice, modest liberty, and true information of a Friend that loveth your Lordship as I do. For though your Lordship's fortunes be above the thunder and stormes of inferior regions; yet nevertheless, to hear the wind, and not to feel it, will make one sleep the better.

My good Lord, somewhat I have been, and much I have read; so that few things that concern states or greatness, are new cases unto me: and therefore I hope I may
be

be no unprofitable servant to your Lordship. I remember the King was wont to make a character of me, far above my worth, *that I was not made for small matters*: and your Lordship would sometimes bring me from his Majestie that *Latin* sentence *de minimis non curat lex*; and it hath so fallen out, that since my retiring, times have been fuller of great matters than before; wherein perhaps if I had continued near his Majestie, he might have found more use of my service, if my gift lay that way: but that is but a vain imagination of mine. True it is, that as I do not aspire to use my talent in the King's great affairs; yet for that which may concern your Lordship, and your fortune, no man living shall give you a better account of faith, industry, and affection, than I shall. I must conclude with that which gave me occasion of this letter, which is Mr. *Mathew's* employment to your Lordship in those parts, wherein I am verily perswaded your Lordship shall find him a wise and able Gentleman, and one that will bend his knowledge of the world (which is great) to serve his Majestie, and the Prince, and in especial your Lordship. So I rest, *Your Lordship's most obliged and faithful Servant,*

Grays-Inn, this 18 April, 1623.

Fr. St. Alban.

To the Marquis of Buckingham.

My very good Lord,

THOUGH I returned an answer to your Lordship's last honourable and kind letter, by the same way by which I received it; yet I humbly pray your Lordship, to give me leave to add these few lines. My Lord, as God
above

above is my witness, that I ever have loved and honoured your Lordship, as much, I think, as any son of *Adam* can love or honour any thing that is a Subject; and do still continue in as hearty and strong wishes of felicity, to be heaped and fixed upon you as ever: so yet I protest, that at this time, as low as I am, I had rather sojourn the rest of my life in a Colledge in *Cambridge*, than recover a good fortune by any other than your self. But now to recover your self to me, if I have you not already; or to ease your Lordship in any business of mine, wherein your Lordship would not so fully appear; or to be made partaker of your favours, in the way that you like best; I would use any man who were your Lordship's Friend. *Secondly*, If in any thing of my former letters I have given your Lordship any distaste, either by the stile of them, or any particular passage in them, I humbly pray your Lordship's benigne construction and pardon. I confess, it is my fault, though yet it be some happiness to me withal, that I many times forget my adversity: but I shall never forget to be, &c.

From the Original. ‡

To the Duke of Buckingham.

Excellent Lord,

HOW much I rejoice in your Grace's safe return you will easily believe, knowing how well I love you, and how much I need you. There be many things in this journey both in the felicity and in the carriage thereof, that I do not a little admire, and wish your Grace may reap more and more fruites in continuance answerable to the

A a

beginnings:

beginnings. My self have ridden at anchor all your Grace's absence, and my cables are now quite worn. I had from Sir *Toby Mathew* out of *Spayne*, a very comfortable message, that your Grace had said, I should be the first that you would remember in any great favour after your return ; and now coming from Court, he telleth me he had commission from your Lordship to confirm it : for which I humbly kiss your hands.

My Lord, do some good work upon me, that I may end my days in comfort, which nevertheless cannot be complete except you put me in some way to do your noble self service, for I must ever rest, *Your Graces most obliged and faithful Servant,*

12 Oct. 1623.

Fr. St. Alban.

I have written to his Highness, and had presented my duty to his Highness to kiss his hands at *York-house*, but that my health is scarce yet confirmed.

From the Original. ♀

To the Lord St. Alban.

My Lord,

THE assurance of your love makes me easily believe your joy at my return ; and if I may be so happy as by the credit of my place, to supply the decay of your cables, I shall account it one of the special fruits thereof. What Sir *Toby Mathew* hath delivered on my behalfe, I will be ready to make good, and omit noe opportunity that may serve for the endeavors of, *Your Lordship's faithful Friend and Servant,*

G. Buckingham.

Royston, 14 Oct. 1623.

From

From the Original. ✱

To the Duke of Buckingham.

Excellent Lord,

I Send your Grace for a *parabien*, a Book of myne, written first and dedicated to his Majestie in *English*, and now translated into *Latin* and enriched. After his Majestie and his Highnesse, your Grace is ever to have the third turn with me. Vouchsafe of your wonted favour to present also the King's book to his Majestie. The Prince's I have sent to Mr. *Endimion Porter*. I hope your Grace (because you are wont to disable your *Latine*) will not send your Book to the *Conde D'Olivares* because he was a Deacon, for I understand by one (that your Grace may guesse whom I meane) that the *Conde* is not rational, and I hold this Booke to be very rational. Your Grace will pardon me to be merry, however the world goeth with me. I ever rest, *Your Grace's most faithful and obliged Servant,*

*Gray's Inn, this 22^d
October 1623.*

Fr. St. Alban,

I have added a begging postscript in the King's letter ; for, as I writ before, my cables are worn out, my hope of tackling is by your Lordship's means. For me and mine, I pray command.

Letters of the Lord

From the Original. ♀

To the Lord St. Alban.

My Lord,

I Give your Lordship many thanks for the *parabien* you have sent me; which is so welcome unto me, both for the Author's sake and for the worth of it self, that I cannot spare a work, of so much payns to your Lordship and value to me, unto a man of so little reason and less art; who if his skill in languages be no greater than I found it in argument, may, perhaps, have as much need of an interpreter (for all his Deaconrie) as my selfe, and whatsoever mine ignorance is in the tongue, yet this much I understand in the booke, that it is a noble monument of your love, which I will entayle to my posterity, who, I hope, will both reap the fruit of the worke, and honour the memory of the Author. The other book I delivered to his Majestie, who is tyed here by the feet longer than he purposed to stay.

For the business your Lordship wrote of in your other letters, I am sorry I can do you no service, having engaged my self to Sir *William Becher* before my going into *Spayne*, so that I cannot free my self, unless there were means to give him satisfaction. But I will ever continue
Your Lordship's assured Friend and Servant,

G. Buckingham.

Hinchbrook, 27 Oct. 1623.

From

From the Original. ✽

To the Lord St. Alban.

My Honourable Lord,

I Have delivered your Lordship's letter and your book to his Majestie, who hath promised to read it over: I wish I could promise as much for that which you sent me, that my understanding of that language might make me capable of those good fruits, which I assure my self by an implicit faith proceed from your pen; but I will tell you in good *English*, with my thanks for your book, that I ever rest, *Your Lordship's faithfull Friend and Servant,*

Hinchenbrook, 29 October, 1623.

G. Buckingham.

From the Original. ✽

To the Duke of Buckingham.

Excellent Lord,

I Send Mr. *Parker* to have ready, according to the speech I had with your Grace, my two suits to his Majestie, the one for a full pardon, that I may dye out of a cloud; the other for the translation of my honours after my decease. I hope his Majestie will have compassion on me, as he promised me he would. My heart telleth me that no man hath loved his Majestie and his service more entirely, and love is the law and the prophets. I ever rest, *Your Grace's most obliged and faithful Servant,*

25 Nov. 1623.

Fr. St. Alban.

Franciscus Baro de Verulamio, Vice-Comes S^{ti}.
Albani, Almæ Matri inclytæ Academiæ Can-
tabrigienfi, S.

DEbita filii, qualia possum, persolvo. Quod verò fa-
cio, idem & vos hortor, ut *Augmentis Scientiarum*
strenue incumbatis, & in animi modestia libertatem ingenii
retineatis, neque talentum a veteribus concreditum in su-
dario reponatis. Affuerit proculdubio, & affulserit divini
luminis gratia, si, humiliatâ & submissâ Religioni Philoso-
phiâ, claribus sensûs legitimè & dextrè utamini; & amoto
omni contradictionis studio, quisque cum alio, ac si ipse se-
cum, disputet. Valete.

Inclytæ Academiæ Oxoniensi S.

CUM Almæ Matri meæ inclytæ academiæ Cantabrigi-
ensi scripserim, deessem sanè officio, si simile amoris
pignus sorori ejus non deferrem. Sicut autem eos hortatus
sum, ita & vos hortor, ut *Scientiarum Augmentis strenuè*
incumbatis; & veterum labores neque nihil neque omnia
esse putetis; sed vires etiam proprias modeste perpendentes,
subinde tamen experiamini. Omnia cedent quàm optimè,
si arma non alii in alios vertatis, sed junctis copiis in na-
turam rerum impressionem faciatis; sufficit quippe illa ho-
nori & victoriæ. Valete.

Prænobilis, & (quod in nobilitate pænè miracu-
lum est) scientissime Vice-comes.

Nihil concinnius tribuere Amplitudo vestra, nihil gra-
tius accipere potuit Academia, quam *Scientias*: *Sci-*
entias, quas prius inopes, exiguas, incultas emiserat, accepit
tandem

tandem nitidas, proceras, ingenii tui copiis (quibus unice augeri potuerant) uberrime dotatas. Grande ducit munus illud sibi a peregrino (sitamen peregrinus sit, tam prope consanguineus) auctius redire, quod filiis suis instar patrimonii impendit, & libenter agnoscit hic nasci Musas, alibi tamen quam domi suæ crescere. Creverunt quidem, & sub calamo tuo, qui, tanquam strenuus literarum Alcides, columnas tuas, mundo immobiles, propriâ manu in orbe Scientiarum, plus ultrâ statuisti. Euge exercitatissimum athletam, qui, in aliorum patrocinandis virtutibus occupatissimus, alios; in scriptis propriis, te ipsum superâsti: Quippe in illo honorum tuorum fastigio viros tantum literatos promovisti; nunc tandem (ô dulce prodigium!) etiam & literas. Onerat clientes beneficii hujus augustior munificentia, cujus in accipiendo honor apud nos manet, in fruendo emolumentum transit usque in posteros. Quin ergo si gratiarum talioni impares sumus, juncto robore alterius sæculi nepotes succurrant; qui reliquum illud, quod tibi non possunt, saltem nomini tuo persolvent. Felices illi, nos tamen quàm longè feliciores, quibus honorifice conscriptam tuâ manu epistolam, quibus oculatissima lætandi præcepta, & studiorum concordiam, in fronte voluminis demandâsti: quasi parum esset Musas de tuo penu locupletare, nisi ostenderes quo modo & ipsæ discerent. Solenniori itaque osculo acerrimum judicii tui depositum excepit frequentissimus purpuratorum senatus; exceperunt pariter minoris ordinis gentes; & quod omnes in publico librorum thesaurario, in memoriâ singuli deposuerunt. Dominationis vestræ studiosissima,

E domo nostrâ
Congregationis
20 Dec. 1623.

Academia Oxoniensis.

Percelebri

Percelebri Collegio Sanctæ & Individuæ Trinitatis in Cantabrigiâ, S.

RES omnes earumque progressus initiis suis debentur. Itaque cum initia Scientiarum è fontibus vestris hausserim, incrementa ipsarum vobis rependenda existimavi. Spero itidem fore, ut hæc nostra apud vos, tanquam in solo nativo, felicius succrescant. Quamobrem & vos hortor, ut, salvâ animi modestiâ & erga veteres reverentiâ, ipsi quoque Augmentis Scientiarum non desitis: verum ut post volumina sacra verbi Dei & Scripturarum, secundo loco volumen illud magnum operum Dei & creaturarum strenuè & præ omnibus libris (qui pro commentariis tantum haberi debent) evolvatis. Valete.

From the Original. ♣

To the Lord St. Alban.

My Honourable Lord,

I Have received your Lordship's letter, and have been long thinking upon it, and the longer the less able to make answer unto it. Therefore if your Lordship would be pleased to send any understanding man unto me, to whom I may in discourse open my selfe, I will by that means so discover my heart with all freedom (which were too long to do by letter, especially in this time of Parliament business) that your Lordship shall receive satisfaction. In the mean time I rest, *Your Lordship's faithful Servant,*

Roxton, 16 December.

G. Buckingham.

From

From the Original. ♀

To the Lord St. Alban.

My Lord,

I Have moved his Majestie in your suit, and find him very gracious inclined to grant it, but he desireth first to know from my Lord *Treasurer* his opinion and the value of it, to whom I have written to that purpose this inclosed letter, and would wish your Lordship to speak with him your selfe for his favour and furtherance therein, and for my part I will omit nothing that appertaineth to your Lordship's faithful Friend and Servant,

*New-market, 28th of
January 1623.*

G. Buckingham.

From the Original. ♀

To the Duke of Buckingham.

Excellent Lord,

I Have received the warrant, not for land but for the money, which if it may be speedily served, is sure, the better, for this I humbly kisse your Grace's hands. But because the Exchequer is thought to be somewhat barren, although I have good affiance of Mr. *Chancellor*, yet I hold it very essential (and therein I most humbly pray your Grace's favour) that you would be pleased by your letter to recommend to Mr. *Chancellor* the speedy issuing of the money by this warrant, as a business whereof your Grace hath an especial care; the rather for that I understand from him, there be some other warrants for

B b

money

Letters of the Lord

money to private suitors at this time on foot. But your Grace may be pleased to remember this difference: That the other are meer gifts; this of mine is a bargain, with an advance only.

I most humbly pray your Grace likewise to present my most humble thanks to his Majesty. God ever guide you by the hand. I always rest, *Your faithfull and more and more obliged Servant,*

*Gray's-Inn, this 17th of
Novemb. 1624.*

Fr. St. Alban.

I most humbly thank your Grace for your Grace's favour to my honest deserving Servant.

From the Original. ♣

To the Lord St. Alban.

My noble Lord,

THE hearty affection I have born to your person and service, hath made me ever ambitious to be a Messenger of good news to you, and an eschewer of ill; this hath been the true reason why I have been thus long in answering you, not any negligence in your discreet modest Servant, you sent with your letter, nor his who now returns you this answer, oftentimes given me by your Master and mine, who though by this may seem not to satisfie your desert and expectation; yet take the word of a friend who will never fail you, hath a tender care of you, full of a fresh memory of your by-past Service. His Majesty is but for the present, he says, able to yield unto the three years advance, which if you please to accept, you are not hereafter the farther off from obtaining
some

some better testimony of his favour worthy both of him and you, though it can never be answerable to what my heart wishes you, as *Your Lordship's humble Servant,*

G. Buckingham.

A Monsieur D' Effiat. ^a

Monfieur l'Ambassadeur mon Fils.

VOyant que vostre excellence fait & traite mariages, non seulement entre les Princes d' Angleterre & de France, mais aussi entre les langues, puisque vous faites traduire mon livre de l' *Advancement des Sciences en François*. J'ay bien voulu vous envoyer mon livre dernièrement imprimé que j' avois pourveu pour vous ; mais j'estois en doute de le vous envoyer, pour ce qu' il est escrit en Anglois. Mais a cest'heure pour la raison susdite, je le vous envoie. C'est un recompillement de mes essais morales & civiles ; mais tellement enlargies & enrichies, tant de nombre & de poids, que c'est de fait un oeuvre nouveau. Je vous baise les mains, & reste, Vostre tres affectionné ami & tres humble Serviteur,

Fr. St. Alban.

^a To what hath been already said of Monsieur D'Effiat, I shall only add, that he was made Marechal of France in 1631, and died the year after, as he was going to take upon him the command of an army upon the frontier of Lorrain. Having the following *Eloge* given him by *Du Pleix* in his history of Louis the thirteenth. " In losing him, the King lost a most faithful servant, who in a little time had acquired a great reputation in arms, by his courage ; in council, by his judgment ; in embassys, by his address ; in the sur-intendance of the Finances, by his vigilance, prudence, and good conduct.

Letters of the Lord

To the Queen of Bohemia.

It may please your Majestie,

I Have received your Majesties gracious letter, from Mr. Secretary *Moreton*, who is now a Saint in Heaven. It was a time when the great defolation of the Plague was in the City; and when my self was ill of a dangerous and tedious sickness. The first time that I found any degree of Health, nothing came sooner to my mind, than to acknowledge your Majesties great favour by my most humble thanks : and because I see your Majestie taketh delight in my writings, (and to say the truth, they are the best fruits I now yield.) I presume to send your Majestie a little discourse of mine, touching a war with *Spain*,^a which I writ about two years since; which the King your Brother liked well. It is written without bitterness, or invective, as Kings affairs ought to be carried; but if I be not deceived, it hath edge enough. I have yet some spirits left, and remnant of experience, which I consecrate to the King's service, and your Majestie's; for whom I pour out my daily prayers to God, that he would give your Majestie a fortune worthy your rare vertues; which some good Spirit tells me, will be in the end. I do in all reverence kifs your Majesties hands, ever resting *Your Majesties most humble and devoted Servant,*

Fr. St. Alban.

^a Printed among his Lordship's miscellany works in 1629, &c.

To the Lord Bishop of Lincoln.

My very good Lord,

I Am much bound to your Lordship, for your honourable promise to Doctor *Rawley*: he chooseth rather to depend upon the same in general, than to pitch upon any particular, which modesty of choice I commend.

I finde that the antients (as *Cicero*, *Demosthenes*, *Plinius secundus* and others) have preserved both their Orationes, and their Epistles; in imitation of whome I have done the like to myne owne, which nevertheless I will not publish while I live. But I have been bold to bequeath them to your Lordship and Mr. Chancellor of the Dutchy. My Speeches perhaps you will think fit to publish: the letters many of them touch too much upon late matters of estate, to be published; yet I was willing they should not be lost.

I have also by my will erected two Lectures in perpetuity, in either University one, with an endowment of 200*l.* per ann. apiece; they to be for natural Philosophy, and the Sciences thereupon depending, which foundations I have required my Executor to order, by the advice and direction of your Lordship, and my Lord Bishop of *Conventry* and *Litchfield*. These be my thoughts now. I rest Your Lordship's most affectionate, to do you Service,

Fr. St. Alban.

The

The Bishop's Answer to the preceding Letter.

Right honourable and my very noble Lord,

MR. Doctor *Rawley*, by his modest choice, hath much obliged me to be careful of him, when God shall send any opportunity. And if his Majesty shall remove me from this See, before any such occasion be offered, not to change my Intentions with my Bishop-prick.

It is true that those antients, *Cicero*, *Demosthenes*, and *Plinius secundus*, have preserved their Orations (the heads and effects of them at the least) and their Epistles; and I have ever been of opinion, that those two Pieces, are the principal Pieces of our Antiquities. Those Orations discovering the forme of administering justice, and the letters the carriage of the affairs in those times. For our Histories (or rather Lives of men) borrow as much from the affections and Phantasies of the writers, as from the truth itself, and are for the most of them built altogether upon unwritten relations and traditions. But Letters written *è re nata*, and bearing a synchronisme or equality of time, *cum rebus gestis*, have no other fault, than that which was imputed unto *Virgil*, *nihil peccat nisi, quod nihil peccet*, they speake the truth too plainely, and cast too glaring a light for that age, wherein they were, or are written.

Your Lordship doeth most worthily therefore in preserving those two Pieces, amongst the rest of those matchless Monuments you shall leave behind you; considering that, as one age hath not bred your experience, soe is it
not

not fit it should be confined to one age, and not imparted to the times to come. For my part therein, I doe imbrace the honour with all thankfulness, and the trust imposed upon me, with all Religion and Devotion. For those two Lectures in *natural Philosophy*, and the Sciences woven and involved with the same; it is a great and a noble Foundation both for the use, and the fallary, and a foot that will teach the age to come, to guess in part at the greatness of that *Herculean* mynde, which gave them their existence. Onely your Lordship may be advised for the seates of this foundation. The two Universitys are the two eyes of this land, and fittest to contemplate the lustre of this bounty; these two Lectures, are as the two apples of these eyes. An apple when it is single is an ornament, when double a pearle, or a blemish in the eye. Your Lordship may therefore inform yourself if one *Sidley* of *Kent* hath not already founded in *Oxford* a Lecture of this nature and condition. But if *Oxford* in this kind be an *Argus*, I am sure poor *Cambridge* is a right *Polyphemus*, it hath but one eye, and that not so stedily or artificially placed, but, *bonum est facile sui diffusivum*; your Lordship being so full of goodness, will quickly find an object to pour it on. That which made me say thus much, I will say in verse, that your Lordship may remember it the better,

*Sola ruinosis stat Cantabrigia pannis
Atque inopi linguâ disertas invocat Artes.*

I will conclude with this vowe. *Deus, qui animum istum tibi, animoisti tempus quam longissimum tribuat.* It
is

is the most affectionate prayer of *Your Lordship's most humble Servant,*

*Buckden the last of
December, 1625.*

Jo. Lincolne.

To the Earl of Arundel and Surrey.

My very good Lord,

I Was likely to have had the fortune of *Caius Plinius*, the elder, who lost his life by trying an experiment, about the burning of the mountain *Vesuvius*. For I was also desirous to try an experiment or two, touching the conservation, and induration of bodies. As for the experiment it self, it succeeded excellently well; but in the journey (between *London* and *Highgate*) I was taken with such a fit of casting, as I knew not whether it were the stone, or some surfeit, or cold, or indeed a touch of them all three. But when I came to your Lordship's house, I was not able to go back, and therefore was forced to take up my lodging here, where your House-keeper is very careful and diligent about me; which I assure my self, your Lordship will not only pardon towards him, but think the better of him for it. For indeed your Lordship's house was happy to me; and I kiss your noble hands, for the welcome, which I am sure you give me to it.

I know how unfit it is for me to write to your Lordship with any other hand than my own; but by my troth, my fingers are so disjoynted with this fit of sickness, that I cannot steadily hold a pen.

Of

*Of the true greatness of the Kingdom of Britaine,
to King JAMES.*

THE greatness of Kingdoms and Dominions in bulk and territorie, doth fall under measure and demonstration that cannot erre: but the just measure and estimate of the forces and power of an Estate, is a matter than the which, there is nothing among civil affaires more subject to error, nor that error more subject to perillous consequence. For hence may proceede many inconsiderate attempts and insolent provocations in States that have too high an imagination of their own forces: and hence may proceed on the other side, a toleration of many grievances and indignities, and a loss of many fair opportunities, in States that are not sensible enough of their owne strength. Therefore that it may the better appear what greatness your Majestie hath obtained of God, and what greatness this Island hath obtained by you, and what greatness it is, that by the gracious pleasure of Almighty God, you shall leave and transmit to your Children and generations as the first founder: I have thought good as far as I can comprehend, to make a true survey and representation of the greatness of this your Kingdom of *Brittaine*, being for mine own part perswaded, that the supposed prediction *Video solem orientem in occidente*, may be no lesse true a Vision applyed to *Brittaine* than to any other Kingdom of *Europe*, and being out of doubt that none of the great Monarchies, which in the memory of times have risen in the habitable world, had so faire seeds and beginnings as hath this your estate and king-

dome, whatsoever the event shall be, which must depend upon the dispensation of God's will and providence, and his blessing upon your descendents. And because I have noe purpose vainlie or assentatorilie to represent this greatness, as in water, which shews things bigger than they are, but rather as by an Instrument of Art, helping the sense to take a true magnitude and dimension: therefore I will use no hidden order, which is fitter for insinuations than sound proofes, but a clear and open order. First by confuting the errours, or rather correcting the excesses of certaine immoderate opinions, which ascribe too much to some points of greatness, which are not so essentiall, and by reducing those points to a true value and estimation: than by propounding and confirming those other points of greatness which are more solide and principall, though in popular discourse less observed: and incidentlie by making a brief application in both these parts, of the general principles and positions of pollicie unto the state and condition of these your Kingdoms. Of these the former part will branch it self into these articles.

First, That in the measuring or balancing of greatness, there is commonly too much ascribed to largeness of territorie.

Secondly, That there is too much ascribed to treasure or riches.

Thirdly, That there is too much ascribed to the fruitfullness of the soile, or affluence of commodities.

And *Fourthly*, That there is too much ascribed to the strength and fortification of townes, or holds.

The latter will fall into this distribution.

First, That true greatness doth require a fit situation of the place or region.

Secondly, That true greatness consisteth essentially in population and breed of men.

Thirdly, That it consisteth alsoe in the valour and militarie disposition of the people it breedeth; and in this, that they make profession of armes.

Fourthly, That it consisteth in this point that every common subject by the Powle, be fit to make a foldier, and not only certaine conditions or degrees of men.

Fifthly, That it consisteth in the temper of the government fit to keep subjects in heart and courage, and not to keep them in the condition of servile vassailes.

And *Sixthly*, That it consisteth in the commandement of the sea.

And let no man so much forget the subject propounded, as to find strange, that here is no mention of Religion, Lawes, Pollicie. For we speake of that which is proper to the amplitude and growth of States, and not of that which is common to their preservation, happiness, and all other points of well being. First therefore, touching largeness of territories, that true greatness of Kingdoms upon Earth is not without some analogie with the Kingdome of Heaven, as our Saviour describes it: which he doth resemble, not to any great Kernell or Nutt, but to one of the least Graines, but yet such a one, as hath a propertie to growe and spread. For as for large Coun-

tries and multitude of Provinces, they are manie times rather matters of burden than of strength, as may manifestly appeare both by reason and example. By reason thus. There be two manners of securing of large territories, the one by the natural armes of every Province, and the other by the protecting armes of the principal Estate, in which case commonlie the provincials are held disarmed. So are there two daungers incident unto everie estate, foreign invasion, and inward rebellion. Now such is the nature of things, that those two remedies of Estate doe fall respectivelie into these two daungers, in case of remote Provinces. For if such an estate rest upon the naturall armes of the Provinces, it is sure to be subject to rebellion or revolt; if upon protecting armes, it is sure to be weak against invasion: neither can this be avoided. Now for examples, proving the weakness of States possessed of large territories, I will use only two, eminent and selected. The first shall be of the Kingdom of *Persia*, which extended from *Ægypt* inclusive unto *Bactria*, and the borders of the *East India*, and yet nevertheless was overrun and conquered in the space of seven years, by a nation not much bigger than this Isle of *Brittaine*, and newly grown into name, having been utterly obscure till the time of *Philip* the Son of *Amyntas*. Neither was this affected by any rare or heroicall prowesse in the conqueror, as is vulgarly conceived (for that *Alexander the Great* goeth now for one of the wonders of the world:) for those that have made a judgement grounded upon reason of Estate, do find that conceipt to be meerly popular, for so *Livie* pronounceth of him, *Nihil aliud quam bene ausus vana contempnere*. Wherein he

judgeth

judgeth of vastnes of Territorie as a vanitie that may astonish a weak mind, but no ways trouble a sound resolution. And those that are conversant attentively in the Histories of those times, shall find that this purchase which *Alexander* made and compassed, was offered by fortune twice before to others, though by accident they went not through with it; namelie to *Agefilaus* and *Jason* of *Thessaly*: for *Agefilaus* after he had made himself master of most of the low Provinces of *Asia*, and had both designe and commission to invade the high Countries, was diverted and called home upon a warre excited against his Countrie by the States of *Athens* and *Thebes*, being incensed by their Orators and Counsellors, which were bribed and corrupted from *Persia*, as *Agefilaus* himself avouched pleasantlie, when he said, That an hundred thousand archers of the King of *Persia* had driven him home, understanding it, because an Archer was the stamp upon the *Persian* coyne of Gold. And *Jason* of *Thessalie* being a man born to no greatnes, but one that made a fortune of himself, and had obtained by his owne vivacitie of spirit joined with the opportunities of time, a great armie compounded of Voluntaries and Adventurers, to the terror of all *Græcia*, that continually expected where that cloud would fall; disclosed himself in the end, that his design was for an expedition into *Persia* (the same which *Alexander* not many years after atcheived) wherein he was interrupted by a private conspiracie against his life, which took effect. So that it appeareth as was said, that it was not anie miracle of accident, that raised the *Macedonian* Monarchie, but only the weak composition of that vast State of *Persia*, which was prepared for a preye to the first resolute Invader. The

The second Example that I will produce, is of the *Roman Empire*, which had received no dimunition in Territorie, though great in virtue and forces, till the time of *Jovianus*. For so it was alledged by such as opposed themselves to the rendering *Nisibis* upon the dishonourable retreat of the *Roman* armie out of *Persia*. At which time it was avouched, that the *Romans* by the space of 800 years, had never before that day, made any cession or renunciation to any part of their Territorie, whereof they had once had a constant and quiet possession. And yet nevertheless, immediatlie after the short reign of *Jovianus*, and towards the end of the joint reign of *Valentinianus* and *Valens*, which were his immediate successors, and much more in the times succeeding, the *Roman Empire*, notwithstanding the magnitude thereof, became no better than a carcase, whereupon all the Vultures, and Birds of preye of the world, did seize and ravine for many ages, for a perpetual monument of the essential difference between the scale of miles, and the scale of forces. And therefore upon these Reasons and Examples, we may safely conclude, that largeness of Territorie is so far from being a thing inseparable from greatness of Power, as it is many times contrariant and incompatible with the same. But to make a reduction of that errour to a truth, it will stand thus, that then greatness of Territorie addeth strength, when it hath these four conditions:

First, That the Territories be compacted, and not dispersed.

Secondly,

Secondly, That the Region which is the heart and feat of the State, be sufficient to support those parts, which are but Provinces and additions.

Thirdly, That the armes or martiall vertue of the State be in some degree answerable to the greatness of Dominion.

And *Lastly*, That no Part or Province of the State be utterly unprofitable, but do confer some use or service to the State.

The first of these is manifestly true, and scarcely needeth any explication. For if there be a State that consisteth of scattered Points instead of Lines, and slender Lines instead of Latitudes, it can never be solide, and in the solide figure is strength. But what speak we of mathematical principles? The reason of State is evident, that if the parts of an Estate be disjoined and remote, and so be interrupted with the Provinces of an other Sovereigntie; they cannot possiblief have ready succours, in case of invasion, nor ready suppression, in case of rebellion, nor ready recovery in case of losse or alienation by either of both means. And therefore we see what an endless work the King of *Spayne* hath had to recover the *Low Countries*, although it were to him patrimonie and not purchase; and that chieflie in regard of the great distance. So we see that our Nation kept *Calice* a hundred yeares space after it lost the rest of *Fraunce*, in regard of the neer situation, and yet in the end they that were nearer, carried it by surprize.

Therefore *Titus Quintius* made a good comparison of the State of the *Achaians* to a Tortoise, which is safe when

Letters of the Lord

when it is retired within the Shell, but if any part be put forth, then the part exposed endangereth all the rest. For so it is with States that have Provinces dispersed, the defence whereof doth commonlie consume and decaye and sometimes ruine the rest of the Estate. And soe likewise we may observe, that all the great Monarchies, the *Perfians*, the *Romaines*, (and the like of the *Turks*) they had not anie Provinces to the which they needed to demand accessie through the Countrie of another: neither had they any long races or narrow angles of Territorie, which were environed or clasped in with foreign States, but their Dominions were continued and entire, and had thickness and squareness in their orbe or contents. But these things are without contradiction.

For the second, concerning the proportion between the principal Region, and those which are but secundarie, there must ever more distinction be made between the bodie or stemme of the Tree, and boughs and branches. For if the top be over great, and the stalk too slender, there can be no strength. Now, the bodie is to be accounted so much of an Estate, as is not separated or distinguished with any mark of foreigners, but is united speciallie with the bond of naturalization; and therefore we see that when the State of *Rome* grew great, they were enforced to naturalize the *Latines* or *Italians*, because the *Romaine* stemme could not bear the Provinces and *Italy* both as branches: and the like they were contented after to do to most of the *Gauls*. So on the contrarie part we see in the State of *Lacedæmon*, which was nyce in that point, and would not admit their Confederates to be incorporate with them, but rested upon the natural borne subjects

jects of *Sparta*, how that a small time after they had embraced a larger Empire, they were presentlie furcharged, in respect to the slenderness of the Stemme. For so in the defection of the *Thebans* and the rest against them, one of the principal Revolters spake most aptlie, and with great efficacie in the assemblie of the Associates, telling them, that the State of *Sparta* was like a River, which after that it had runne a great way, and taken other Rivers and Streams into it, ranne strong and mighty, but about the Head and Fountaine of it was shallow and weake, and therefore advised them to assaile and invade the Mayne of *Sparta*, knowing they should there find weak resistance eyther of towns or in the field: of townes, because upon confidence of their greatness, they fortified not upon the Mayne; in the field, because their people was exhaust by Garrisons and Services farre off. Which Counsel proved found, to the astonishment of all *Græcia* at that time.

For the third, concerning the proportion of the militarie forces of a State to the amplitude of Empire, it cannot be better demonstrated than by the two first examples, which we produced of the weakness of large Territorie, yf they be compared within themselves according to difference of time. For *Persia* at a time was strengthened with large Territorie, and at another time weakened; and so was *Rome*. For while they flourished in armes, the largeness of Territorie was a strength to them, and added forces, added treasures, added reputation: but when they decayed in armes, then greatness became a burden. For their protecting forces did corrupt, supplant, and enervate the natural and proper forces of all their Provinces, which relyed and depended upon the succours

and directions of the State above. And when that waxed impotent and slouthfull, then the whole State laboured with her own magnitude, and in the end fell with her owne weight. And that no question was the reason of the strange inundations of people which both from the East and Northwest overwhelmed the *Romaine* Empire in one age of the world, which a man upon the sodaine would attribute to some constellation or fatal revolution of time, being indeed nothing else but the declination of the *Roman* Empire, which having effeminated and made vile the natural strength of the Provinces, and not being able to supplie it by the strength emperial and soveraigne, did as a Lure cast abroad, invite and entice all the Nations adjacent, to make their fortunes upon her decays. And by the same reason, there cannot but ensue a dissolution to the State of the *Turke*, in regard of the largeness of Empire, whensoever their martial vertue and discipline shall be further relaxed, whereof the time seemeth to approach. For certainlie like as great stature in a natural body is some advantage in youth, but is but burden in age, so it is with great Territorie, which when a State begineth to decline, doth make it stoop and buckle so much the faster.

For the fourth and last, it is true, that there is to be required and expected as in the parts of a bodie, so in the members of a State, rather proprietie of service, than equalitie of benefit. Some Provinces are more wealthie, some more populous, and some more warlike; some situate aptlie for the excluding or expulsi^on of foreigners, and some for the annoying and bridling of suspected and tumultuous subjects; some are profitable in present, and some may be converted and improved to profit by Plantations

and

and good Pollicie. And therefore true confideration of Eftate, can hardlie find what to reject, in matter of Territorie in any Empire, except it be fome glorious acquets obtained fometime in the braverie of warres, which cannot be kept without exceffive charge and trouble, of which kind were the purchafes of King *Henrie VIII.* that of *Tournay*, and that of *Bulloigne*; and of the fame kind are infinite other the like examples almoft in everie warre, which for the moft part upon treaties of peace are reftored.

Thus have we now defined where the largeneſs of Territorie addeth true greatneſs, and where not. The application of theſe poſitions unto the particular or ſuppoſition of this your Maſtie's Kingdome of *Britaine* requireth few words. For as I profeſſed in the beginning, I mean not to blazon or amplifie, but onlie to obſerve and expreſſe matter.

Fiſt, Your Maſtie's dominion and Empire, comprehendeth all the Ilands of the Northweſt Ocean, where it is open, untill you come to the imbarred or frozen ſea, towards *Iſelland*; in all which tract, it hath no intermixture or interpoſition of anie foreigne land, but onlie of the ſea, whereof you are alſo abſolutelie Maſter.

Secondlie, The quantitie and content of theſe Countries is farre greater than have been the principal or fondemental Regions of the greateſt Monarchies, greater than *Perſia* proper, greater than *Macedon*, greater than *Italie*. So as heere is potentially bodie and ſtemme enough for *Nabuchodonofor's* tree, yf God ſhould have ſo ordained.

Thiſdlie, The prowefſe and valour of your ſubjects is able to maſter and weilde farre more Territorie than ſal-

leth to their lott. But that followeth to be spoken of in the proper place.

And *lastlie*, It must be confessed, that whatsoever part of your Countries and Regions shall be counted the meanest, yet is not inferior to those countries and regions, the people whereof some ages since overranne the world. We see further by the uniting of the continent of this Iland, and the shutting up of the Posterne, (as it was not unfitlie tearmed;) all entraunce of foreiners is excluded: and we see againe, that by the fit situation and configuration of the North of *Scotland* toward the North of *Ireland*, and the reputation, commoditie and terrour thereof, what good effects have ensued for the better quieting of the troubles of *Ireland*. And so we conclude this first braunch touching largeness of Territorie.

The second Article was,

That there is too much ascribed to treasure or riches in the ballancing of greatness.

Wherein no man can be ignorant of the idolatrie that is generallie committed in theis degenerate times to monie, as if it could do all things publique and private; but leaving popular errors, this is likewise to be examined by reason and examples, and such reason, as is no newe concept or invention, but hath formerlie bene discerned by the founder sorte of judgments. For we see that *Solon*, who was no contemplative wiseman, but a Statesman and a Lawgiver, used a memorable censure to *Cræsus*, when he shewed him great treasures, and store of Gould and Silver that he had gathered, telling him, that whensoever an other should come that had better Iron than hee, he

would

would bemaister of all his Gould and Silver. Neither is the authoritie of *Machiavel* to be despised, speciallie in a matter whereof he saw the evident experience before his eyes in his own times and countrie, who derideth the received and currant opinion and principle of estate taken first from a speech of *Mutianus* the Lieutenant of *Vespasian*; That Monie was the Sinews of War, affirming, that it is a mockrie, and that there are no other true Sinews of War, but the Sinews and Muscles of Mens Armes: and that there was never anie Warr, wherein the more valiant people had to deale with the more wealthie, but that the Warre, yf it were well conducted, did nourish and pay it self. And had he not reason so to think, when he saw a needie, and ill provided Armie of the *French* (though needie, rather by negligence than want of means, as the *French* manner often times is) make their passage only by the reputation of their swordes by their sides undrawn, thorough the whole length of *Italie*, (at that time abounding in wealth after a long peace) and that without resistance, and to seize and leave what Countries and Places it pleased them? but it was not the experience of that time alone, but the recordes of all times that do concurr to falsifie that conceipt, that Wars are decided not by the sharpest Sworde, but by the greatest Purse. And that verie text or saying of *Mutianus* which was the original of this opinion, is misvouched, for his Speech was *Pecunie sunt nervi belli civilis*, which is true, for that civil Warres cannot be between people of differing valour; and againe, because in them men are as oft bought as vanquished. But in case of forrein Warres, you shall scarcelie find any of the great Monarchies of the world, but have had their foundations

dations in povertie and contemptible beginnings, being in that point also conform to the heavenlie Kingdom, of which it is pronounced, *Regnum Dei non venit cum observatione*. *Persia*, a mountainous Countrie, and a poor People in comparison of the *Medes*, and other Provinces which they subdued. The State of *Sparta*, a State wherein Povertie was enacted by Lawe and Ordinaunce; all use of Gould and Silver and rich Furniture being interdicted. The State of *Macedonie*, a State mercinarie and ignoble until the time of *Phillip*. The State of *Rome*, a State that had poor and pastoral beginnings. The State of the *Turks*, which have been since the terrour of the world, founded upon a Transmigration of some Bandes of *Sarmatian* Scythes that descended in a vagabond manner upon the province that is now tearmed *Turcomannia*, out of the remnants whereof, after great varietie of fortune sprang the *Othoman* family. But never was anie position of Estate so visiblie and substantiallie confirmed as this, touching the preheminence, yea and prædominancie of Valour above Treasure, was by the two descents and inundations of necessitous and indigent Poople, the one from the East and the other from the West, that of the *Arabians* or *Sarracens*, and that of the *Gothes*, *Vandals* and the rest: who, as if they had been the true inheritours of the *Romaine* Empire, then dieing, or at least growne impotent and aged, entered upon *Ægipt*, *Asia*, *Græcia*, *Afrike*, *Spaine*, *Fraunce*, coming to these Nations, not as to a Preye, but as to a Patrimony, not returning with Spoile, but seating and planting themselves in a number of Provinces, which continue their Progenie, and bear their Names till this daye. And all theis men had no other

Wealth

Wealth but their Adventures, nor no other Title but their Swords, nor no other Presse but their Povertie. For it was not with most of these People as it is in Countries reduced to a regular Civilitie, that no Man almost marrieth except he see he have means to live; but population went on, howsoever sustention followed, and taught by Necessitie, as some Writers report, when they found themselves furchargde with People, they divided their Inhabitants into three parts, and one third, as the Lott fell, was sent abroad and left to their Adventures. Neither is the reason much unlike (though the effect hath not followed in regard of a special diversion) in the Nation of the *Swisses* inhabiting a Countrie, which in regard of the mountainous Situation, and the popular Estate, doth generate faster than it can sustaine. In which People, it well appeared what an Authoritie Iron hath over Gould at the battaile of *Granson*, at what time one of the principal jewels of *Burgundie* was sold for twelve Pence by a poor *Swisse*, that knew no more a pretious Stone, than did *Æsop's* Cocke. And although this People have made no Plantations with their Armes, yet we see the reputation of them such, as not onlie their Forces have bene employed and waged, but their Alliaunce fought and purchased by the greatest Kings and States of *Europe*. So as though Fortune, as it fares sometimes with Princes to their Servaunts, hath denied them a graunt of Lands, yet she hath graunted them liberal Pensions, which are made memorable and renowned to all posteritie, by the event which ensued to *Lewes* the twelveth, who being pressed uncivillie by message from them for the inhaunsing their Pensions, entered into choller and broke out into these words, *What!*
will

will these Villaines of the mountaines put a Tax upon me? which wordes cost him his Dutchy of *Millaine*, and utterlie ruined his affaires in *Italy*. Neither were it indeed possible at this daye, that that Nation should subsist without descents and impressions upon their Neibours, were it not for the great utteraunce of People which they make into the Services of foreign Princes, and Estates, thereby discharging not onlie number, but in that number, such Spirits as are most stirring and turbulent.

And therefore we may conclude, that as largeness of Territorie severed from militarie Virtue, is but a burden: so that Treasure and Riches severed from the same, is but a preye. It resteth therefore to make a reduction of this error also unto a truth by distinction and lymitation, which will be in this manner :

Treasure and Monies do then add true greatness and strength to a State, when they are accompanied with these three conditions:

Fyrst, The same condition which hath been annexed to largeness of Territorie, that is, that they be joyned with martial prowesse and valour.

Secondlie, That Treasure doth then advance greatness, when it is rather in mediocritie than in great abundance. And againe better, when some part of the State is poore, than when all parts of it are rich.

And *Lastlie*, That Treasure in a State is more or lesse serviceable, as the hands are in which the wealth chiefly resteth.

For the first of these, it is a thing that cannot be denyed, that in equalitie of valour, the better Purse is an advantage. For like as in wrestling between man and man, yf there be a great overmatch in strength, it is to little purpose, though one have the better breath ; but if the strength be near equall, then he that is shorter wynded will (if the wager consist of manie falls) in the end have the worst : so it is in the warres, if it be a match between a valiant people and a cowardlie, the advantage of treasure will not serve ; but if they be neere in valour, then the better monied State, will be the better able to continue the warre, and so in the end to prevaile. But yf anie man think that Monie can make those provisions at the first encounters, that no difference of valour can countervaille, let him look back but into those examples which have been brought, and he must confesse, that all those furnitures whatsoever are but shewes and mummeries, and cannot shrowde fear against resolution. For there shall he find companies armed with armour of prooffe taken out of the stately armories of Kings who spared no cost, overthrowne by men armed by private bargain and chaunce as they could get it : there shall he find armies appointed with Horses bread of purpose, and in choyce races, Chariots of warre, Elephants, and the like terrors, maistered by armies meanlie appointed. So of Townes stronglie fortified, baselie yielded, and the like, all being but Sheep in a Lion's skinne where valour faileth.

For the second poynt, That competencie of Treasure is better than surfeit, is a matter of common place or ordinarie discourse ; in regard that excesse of Riches, neither in

The true Greatness of the

publique nor private, ever hath anie good effects, but maketh men eyther slothfull and effeminate, and so no enterprizours; or insolent or arrogant, and so over great embracers; but most generallie cowardlie and fearfull to loose, according to the adage, *Timidus Plutus*, so as this needeth no further speech. But a part of that assertion requireth a more deep consideration, being a matter not so familiar, but yet most assuredlie true. For it is necessarie in a State that shall grow and enlarge, that there be that composition which the Poet speaks of, *Multis utile bellum*, an ill condition of a State (no question) if it be meant of a civil warre, as it was spoken, but a condition proper to a State that shall encrease, if it be taken of a foreign warre. For except there be a spurre in the State, that shall excite and prick them on to warres, they will but keep their owne, and seek no further. And in all experience and stories you shall finde but three things that prepare and dispose an Estate to warre; the ambition of Governours, a state of Souldiours professed, and the hard meanes to lyve of many Subjects. Whereof the last is the most forcible and the most constant. And this is the true reason of that event which we observed and rehearsed before, that most of the great Kingdomes of the World have sprung out of hardnes and scarcenes of means, as the strongest herbs out of the barrenest soyles.

For the third point, concerning the placing and distributing of Treasure in a State, the position is simple, that then Treasure is greatest strength to a State, when it is so disposed, as it is readiest and easiest to come by for publick service and use; which one position doth infer three conclusions.

First, That there be quantity sufficient of Treasure as well in the Treasury of the Crown or State, as in the Purse of the private Subject.

Secondly, That the Wealth of the Subject be rather in many hands than in fewe.

And *Thirdly*, That it be in those hands, where there is likest to be greatest sparing, and encrease, and not in those hands, wherein there useth to be greatest expence and consumption.

For it is not the abundance of Treasure in the subjects hands that can make sudden supply of the want of a State, because reason tells us, and experience both, that private persons have least will to contribute, when they have most cause, for when there is noyse or expectation of warres, then is allways the deadeſt times for Moneys, in regard every man reſtrayneth and holdeth faſt his meanes for his own Comfort and Succour, according as *Solomon* ſaith, *The riches of a man are as a ſtrong hold in his own imagination*; and therefore we ſee by infinite examples, and none more memorable than that of *Constantinus* the laſt Emperor of the *Greekes*, and the Citizens of *Conſtantinople*, that Subjects do often chuſe rather to be frugal diſpenſers for their Enemyes, than liberal lenders to their Prince. Again, whereſoever the Wealth of the Subject is engroſſed into few hands, it is not poſſible it ſhould be ſo reſpondent and yielding to payments and contributions for the publick, both becauſe the true eſtimation or aſſeſſment of great Wealth is more obſcure and uncertaine; and becauſe the burden ſeemeth lighter when the charge lyeth upon many hands; and further, becauſe the ſame greatneſs of Wealth is for the moſt part

not collected and obtayned without sucking it from many, according to the received similitude of the Spleene, which never swelleth but when the rest of the body pyneth and abateth, and lastlie it cannot be that any Wealth should leave a second overplus, for thepublique that doth not first leave an overplus to the private stock of him that gathers it, and therefore nothing is more certaine, than that those States are least able to ayde and defraye great charge for warres or other publique disbursements, whose Wealth resteth chiefly in the hands of the Nobility and Gentlemen. For what by reason of their magnificence and waste in expence, and what by reason of their desire to advance and make great their owne families, and againe upon the coincidents of the former reason, because they are allways the fewest; small is the help, as to payments or charge, that can be levied or expected from them towards the occasions of a State. Contrary it is of such States whose wealth resteth in the hands of Merchants, Burghers, Tradefmen, Freeholders, Farmers in the countrey, and the like, whereof we have a most evident and present example before our eyes, in our neighbours of the *Low Countries*, who could never have endured and continued so inestimable and insupportable charge, either by their naturall frugality, or by their mechanicall industrie, were it not also that there was a concurrence in them of this last reason, which is, that their wealth was dispersed in many hands, and not ingrossed into few, and those hands were not much of the Nobility, but most and generally of inferior conditions.

To make application of this part concerning treasure to your Majestie's Kingdomes.

First,

First, I suppose I cannot erre, That as to the endowment of your Crowne, there is not any Crowne of *Europe*, that hath so great a proportion of Demesne and Land revenue; agayne, he that shall look into your Prerogative shall find it to have as many streames to feed your Treasury, as the Prerogative of any of the said Kings, and yet without oppression or taxing of your people. For they be things unknown in many other States, that all rich mynes should be yours, though in the Soyle of your Subjects; That all wardships should be yours, where a Tenure in chief is, of Lands held of your Subjects; That all confiscations and escheates of Treason should be yours, though the Tenure be of the Subject; That all actions popular, and the Fynes and Casualties thereupon may be informed in your name, and should be due unto you, and a moiety at the least where the subject himself informs; and further, he that shall looke into your Revenues at the Ports of the Sea, your Revenues in Courts of Justice, and for the stirring of your Seales, The Revenues upon your Clergye, and the rest, will conclude, That the Lawe of *England* studied how to make a rich Crowne, and yet without Levies upon your Subject. For Merchandizing it is true, it was ever by the Kings of this Realme despized, as a thing ignoble and indigne for a King, though it is manifest, the situation and commodities of this Island considered, it is infinite, what your Majesty might raise if you would doe as a King of *Portugal* doth, or a Duke of *Florence* in matter of Merchandize. As for the Wealth of the Subject. *

* Mem. Here was a blank side left to continue the Sense.

To proceede to the Articles affirmative, the first was,
That the true greatness of an Estate consisteth in the
natural and fit situation of the Region or Place.

Wherein I mean nothing superstitiously touching the
fortunes or fatal destinie of anie places, nor philosophical-
lie touching their configuration with the superiour Globe.
But I understand proprieties and respects meerlie Civill
and according to the nature of humane Actions, and the
true considerations of Estate. Out of which duly
weighed, there doth arise a triple distribution of the fit-
ness of a Region for a great Monarchie. First, that it be
of hard acceffe. Secondlie, That it be seated in no ex-
treame Angle, but commodiously in the midst of ma-
nie Regions. And Thirdly, That it be Maritime, or at
the least upon great navigable Rivers; and be not Inland
or Mediterrane. And that these are not conceipts, but
notes of event, it appeareth manifestlie, that all great
Monarchies and States have been seated in such manner,
as if you would place them againe, observing theis three
Points which I have mentioned, you cannot place them
better, which shewes the preheminance of Nature, unto
which humane Industrie or Accident, cannot be equall,
speciallie in anie continuance of time; nay, if a Man
look into these things more attentivelie, he shall see diverse
of these seats of Monarchies, how Fortune hath hovered
still about the places, coming and going only in regard
of the fixed reason of the conveniency of the place, which
is immutable. And therefore first we see the excellent situ-
ation of *Ægypt* which seemeth to have bene the most an-
tient Monarchie, how convenientlie it stands upon a neck
of Land commanding both Seas on either side, and em-
bracing

bracing as it were with two armes, *Asia* and *Africk*, besides the benefit of the famous River of *Nilus*. And therefore we see what hath been the fortune of that Countrey, there having been two mighty returns of fortune, though at great distaunce of time, the one in the times of *Sesostris*, and the other in the Empire of the *Mamalukes*, besides the middle greatness of the Kingdome of the *Ptolomeys*, and of the greatness of the Caliphes and Sultans in the latter times. And this Region we see likewise, is of streite and defensible accessse, being commonlie called of the Romaines, *Claustra Ægypti*. * Consider in like manner the situation of *Babylon*, being planted most strongly in regard of Lakes and overflowing grounds between the two great navigable Rivers of *Euphrates* and *Tygris*, and in the very heart of the World, having regard to the four *cardines* of East and West and Northerne and Southerne Regions. And therefore we see that although the Sovereigntie alter, yet the seat still of the Monarchie remains in that place. For after the Monarchies of the Kings of *Assyria*, which were natural Kings of that place, yet when the foreign Kings of *Persia* came in, the seat remained. For although the mansion of the Persons of the Kings of *Persia* were sometimes at *Susa*, and sometimes at *Ecbatana*, which were teamed their Winter and their Sommer Parlours, because of the mildnesse of the Ayre in the one, and the freshnes in the other, yet the Citie of *Estate* continued to be *Babylon*. Therefore we see, that *Alexander the Great*, according to the advice of *Calanus the Indian*, that shewed him a bladder, which if it were borne down at one end, would rise at the other, and therefore wished him to keep himself in the middle

* Mem. To
add the Reasons of the three
Properties.

of his Empire, chose accordingly *Babylon* for his Seat and died there. And afterwards likewise in the familie of *Seleucus* and his descendants, Kings of the East, although diverse of them for their own glorie, were Founders of Cities of their owne names, as *Antiochia*, *Seleucia*, and diverse others, (which they fought by all meanes to raise and adorne) yet the greatness still remained according unto nature with the antient seate. Nay further on, the same remained during the greatness of the Kings of *Parthia*, as appeareth by the verse of *Lucane* who wrote in *Nero's* time.

Cumq; superba staret Babilon spolianda trophæis.

And after that, againe it obtained the seate of the highest Caliph or Successors of Mahomet. And at this day, that which they call *Bagdat* which joines to the ruines of the other, containeth one of the greatest *Satrapies* of the *Levant*. Soe again, *Persia* being a Countrie imbarred with Mountains, open to the Sea, and in the middle of the World, we see hath had three memorable revolutions of great Monarchies.

The first in the time of *Cyrus*; the second in the time of the new *Artaxerxes*, who raised himself in the reign of *Alexander Severus* Emperour of *Rome*; and now of late memorie, in *Ismael* the Sophie, whose Descendants continue in Empire and Competition with the *Turks* to this day.

So again, *Constantinople* being one of the most excellent Seats of the World in the confines of *Europe* and *Asia*.

Sir Francis Bacon's Speech, being the King's Solicitor at Lord Sanquir's Arraignment, copied from the Draught corrected by Sir Francis Bacon's own hand.

The Lord Sanquir's Cause.

IN this cause of life and death, the Juries part is in effect discharged; for after a frank and formal confession, their labour is at end: so that what hath been said by Mr. Attorney, or shall be said by my self, is rather convenient than necessary.

My Lord *Sanquir*, your fault is great, and cannot be extenuated, and it need not be aggravated; and if it needed, you have made so full an anatomy of it out of your own feeling, as it cannot be match'd by my self, or any man else, out of conceipt, so as that part of aggravation I leave.

Nay, more, this christian and penitent course of yours draws me thus far, that I will agree, it in some sort extenuates; for certainly, as even in extream evils there are degrees; so this particular of your offence is such, as though it be foul spilling of blood; yet there are more foul; for if you had sought to take away a man's life for his vineyard, as *Achab* did; or for envy, as *Cain* did, or to possess his bed, as *David* did; surely the murther had been more odious.

Your temptation was revenge, which the more natural it is to man, the more have laws both divine and humane sought to repress it; *mibi vindicta*. But in one

thing you and I shall never agree, that generous spirits (you say) are hard to forgive; no contrariwise, generous and magnanimous minds are readiest to forgive; and it is a weakness and impotency of mind to be unable to forgive; *Corpora magnanimo satis est prostrasse leoni.*

But howsoever murthers may arise from several motives, less or more odious, yet the law both of God and Man involves them in one degree, and therefore you may read that in *Joab's* case, which was a murther upon revenge, and matcheth with your case; he for a dear brother, and you for a dear part of your own body, yet there was a severe charge given, it should not be unpunished.

And certainly the circumstance of time is heavy upon you, it is now five years since this unfortunate man *Turner*, be it upon accident, or be it upon despight, gave the provocation, which was the seed of your malice: all passions are swaged by time, love, hatred, grief, fire it self burns out with time, if no fuel be put to it. Therefore for you to have been in the gall of bitterness so long, and to have been in a restless chase of this blood so many years, is a strange example; and I must tell you plainly, that I conceive you have suck'd those affections of dwelling in malice, rather out of *Italy*, and outlandish manners, where you have conversed, than out of any part of this island, *England* or *Scotland*.

But that which is fittest for me to spend time in (the matter being confessed) is to set forth and magnifie to the hearers the justice of this day; first of God and then of the King.

My Lord you have friends and entertainments in foreign parts; it had been an easy thing for you to set *Carlisle*, or
some

some other bloodhound on work, when your person had been beyond the seas, and so this news might have come to you in a packett, and you might have looked on how the storms would pass, but God bereaved you of this foresight, and closed you here under the hand of a King, that though abundant in clemency, yet is no less zealous of justice.

Again, when you came in at *Lambeth*, you might have persisted in the denial of the procurement of the fact. *Carlisle*, a resolute Man, might perhaps have cleared you (for they that are resolute in Mischief, are commonly obstinate in concealing the procurers) and so nothing should have been against you but presumption. But then also God, to take away all obstruction of justice gave you the grace (which ought indeed to be more true comfort to you than any device whereby you might have escaped) to make a clear and plain confession.

Other impediments there were (not a few) which might have been an interruption to this day's justice, had not God in his providence removed them.

But now that I have given God the honour, let me give it likewise where it is next due, which is to the King our soveraign.

This murther was no sooner committed, and brought to his Majesty's ears, but his just indignation wherewith first he was moved, cast it self into a great deal of care and providence to have justice done: first came forth his Proclamation somewhat of a rare form, and devised, and in effect dictated by his Majesty himself, and by that he did prosecute the offenders, as it were with the breath and blast of his mouth: then did his Majesty stretch forth his

long arms (for Kings have long arms when they will extend them) one of them to the Sea, where he took hold of *Grey* shipped for *Sweden*, who gave the first light of testimony; the other arm to *Scotland*, and took hold of *Carlisle*, e'er he was warm in his house, and brought him the length of his Kingdom under such safe watch and custody, as he could have no means to escape, no nor to mischief himself, no nor learn any lessons to stand mute; in which cases perhaps, this day's justice might have received a stop. So that I may conclude his Majesty hath shewed himself God's true lieutenant, and that he is no respecter of persons; but the *English*, *Scottish*, Nobleman, Fencer, are to him alike in respect of justice.

Nay I must say further, that his Majesty hath had, in this, a kind of prophetic spirit; for what time *Carlisle* and *Grey*, and you, my Lord your self, were fled, no man knew whither to the four winds; the King ever spake in a confident and undertaking manner, that wheresoever the offenders were in *Europe*, he would produce them forth to justice; of which noble word God hath made him master.

Lastly, I will conclude, towards you my Lord, that though your offence hath been great, yet your confession hath been free, and your behaviour and speech full of discretion; and this shews, that though you could not resist the tempter, yet you bear a christian and generous mind, answerable to the noble family of which you are descended. This I commend in you, and take it to be an assured token of God's mercy and favour, in respect whereof all worldly things are but trash; and so it is fit for you, as
your

your state now is, to account them; and this is all I will say for the present.

Examin'd.

My Lady Shrewsbury's Cause.

Your Lordships do observe the nature of this Charge.

MY Lady of *Shrewsbury*, a Lady wife, and that ought to know what duty requireth, is charged to have refused, and to have persisted in refusal to answer, and to be examined in a high cause of state, being examined by the Council Table, which is a representative body of the King.

The nature of the Cause upon which she was examined, is an essential point which doth aggravate and increase this contempt and presumption, and therefore of necessity with that we must begin.

How graciously and parent-like his Majesty used the Lady *Arabella*, before she gave him cause of indignation, the world knoweth.

My Lady, notwithstanding, extremely ill advised, transacted the most weighty and binding part and action of her life, which is her marriage, without acquainting his Majesty, which had been a neglect even to a mean parent. But being to our Sovereign, and she standing so near to his Majesty as she doth, and then choosing such a condition as it pleased her to choose, all parties laid together, how dangerous it was, my Lady might have read it in the fortune of that house wherewith she is matched; for it was not unlike the case of Mr. *Seymer's* grand-mother.

The King nevertheless so remembered he was a King, as

he

he forgot not he was a kinsman, and placed her only *sub liberâ custodiâ*.

But now did my Lady accumulate and heap up this offence with a far greater than the former, by seeking to withdraw her self out of the King's power, into foreign parts.

That this flight, or escape into foreign parts, might have been seed of trouble to this State, is a matter whereof the conceipt of a vulgar person is not capable.

For although my Lady should have put on a Mind to continue her loyalty, as nature and duty did bind her; yet when she was in another Sphere, she must have moved in the motion of that orbe, and not of the planet itself. And God forbid the King's felicity should be so little, as he should not have envy and enviers enough in foreign parts.

It is true, if any foreigner had wrought upon this occasion, I do not doubt but the intent would have been as the prophet saith, *they have conceived mischief, and brought forth a vaine thing*. But yet your Lordships know that it is wisdom in Princes, and it is a watch they owe to themselves, and to their people, to stop the beginnings of evils, and not to despise them. *Seneca* saith well, *non jam amplius levia sunt pericula, si levia videntur*, dangers cease to be light, because by despising they grow and gather strength.

And accordingly hath been the practice both of the wisest and stoutest Princes to hold for matter pregnant of peril, to have any near them in blood to fly into foreign parts. Wherein I will not wander, but take the example of King *Henry VII.* a Prince not unfit to be paralleled with his Majesty, I mean not the particular of *Perkin Warbecke*, for he was but an idol or a disguise; but the example

example I mean, is that of the Earl of *Suffolk*, whom the King extorted from *Philip* of *Austria*. The Story is memorable. That *Philip*, after the death of *Isabella*, coming to take possession of his Kingdome of *Castile* (which was but matrimonial to his father-in-law *Ferdinando* of *Arragon*) was cast by weather upon the coast of *Yarmouth*, where the *Italian* story saith, King *Henry* used him in all things else as a Prince, but in one thing as a prisoner; for he forced upon him a promise to restore the Earl of *Suffolk* that was fledd into *Flanders*; and yet this I note, was in the twenty first year of his reign, when the King had a goodly Prince at man's estate, besides his daughters, nay, and the whole line of *Clarence* nearer in title, for that Earl of *Suffolk* was descended of a Sister of *Edward IV.* so far off did that King take his aim.

To this action of so deep consequence, it appeareth you (my Lady of *Shrewsbury*) were privy, not upon foreign suspicions or strained inferences, but upon vehement presumptions, now clear and particular testimony, as hath been opened to you; so as the King had not only reason to examine you upon it, but to have proceeded with you upon it, as for a great contempt; which if it be reserved for the present, your Ladyship is to understand it aright, that it is not defect of proof, but abundance of grace that is the cause of this proceeding; and your Ladyship shall do well to see into what danger you have brought your self. All offences consist of the fact which is open, and the intent which is secret; this fact of conspiring in the flight of this Lady, may bear a hard and gentler construction; if upon over much affection to your kinswoman,

woman, gentler; if upon practice or other end, harder; you must take heed how you enter into such actions, whereof if the hidden part be drawn unto that which is open, it may be your overthrow, which I speak not by way of charge, but by way of caution.

For that which you are properly charged with, you must know that all subjects without distinction of degrees, owe to the King tribute and service, not only of their deed and hand, but of their knowledge and discovery.

If there be any thing that imports the King's service, they ought themselves undemanded, to impart it; much more if they be called and examined, whether it be of their own fact, or of another's, they ought to make direct answer: neither was there ever any subject brought into causes of Estate to tryal judicial, but first he passed examination; for examination is the entrance of justice in criminal causes; it is one of the eyes of the King's polittick body: there are but two, information and examination: it may not be endured that one of the lights be put out by your example.

Your excuses are not worthy your own judgment, rash vows of lawful things are to be kept, but unlawful vows not; your own divines will tell you so. For your examples, they are some erroneous traditions. My Lord of *Pembroke* spake somewhat that he was unlettered, and it was but when he was examined by one private counsellor, to whom he took exception. That of my Lord *Lumley* is a fiction; the preheminences of nobility, I would hold with to the last grain; but every day's experience is to the contrary. Nay you may learn duty of my Lady *Ara-bella* her self, a Lady of the Blood, of an higher rank
than

than your self, who declining (and yet that but by request neither) to declare of your fact; yielded ingenuously to be examined of her own : I do not doubt but by this time you see both your own error, and the King's grace in proceeding with you in this manner.

Notes of a SPEECH, concerning a War with
S P A I N E.

THAT ye conceive there will be little difference in opinion, but that all will advise the King not to entertain further a treaty, wherein he hath been so manifestly and so long deluded.

That the difficulty therefore will be in the consequences thereof, for to the breach of treaty, doth necessarily succeed a dispaire of recovering the *Palatinate* by treaty, and so the business falleth upon a Warre. And to that you will apply your Speech, as being the point of importance, and besides, most agreeable to your profession and place.

To a Warre (such as may promise successe) there are three things required. A just quarrell, sufficient forces, and provisions, and a prudent and politique choice of the designs and actions whereby the Warre shall be managed.

For the quarrell, there cannot be a more just quarrell by the laws both of nature and nations, than for the recovery of the ancient patrimony of the King's children, gotten from them by an usurping sword, and an insidious treaty.

But further, that the warre well considered is not for the *Palatinate* onely, but for *England* and *Scotland*; for if we stay till the Low Country-men be ruined, and the party of the Papists within the Realm be grown too strong, *England*, *Scotland*, and *Ireland*, are at the stake.

Neither doth it concern the state onely, but our church; other Kings, papists, content themselves to maintaine their religion in their own dominions; but the Kings of *Spaine* run a course to make themselves protectors of the Popish Religion, even amongst the subjects of other Kings: almost like the *Ottomans*, that profess to plant the law of *Mahomet* by the sword; and so the *Spaniards* do of the Pope's law: and therefore, if either the King's blood, or our owne blood, or Christ's blood be dear unto us, the quarrell is just, and to be imbraced.

For the pointe of sufficient forces, the ballanceing of the forces of these Kingdoms and their allies, with *Spaine* and their allies, you know to be a matter of great and weighty consideration; but yet to weigh them in a common understanding, for your part, you are of opinion that *Spaine* is no such giant; or if he be a giant, it will be but like *Goliath* and *David*, for God will be on our side.

But to leave these spiritual considerations, you do not see in true discourse of Peace and Warre, that we ought to doubt to be over-matched. To this opinion you are led by two things which lead all men; by Experience, and by Reason.

For experience, you do not find that for this age (take it for 100 years) there was ever any encounter between *Spanish* and *English* of importance, either by sea or land, but the

English

English came off with the honour; witness the *Lammas-Day*, the retraite of *Gaunt*, the battail of *Newport*, and some others: but there have been some actions both by sea and land, so memorable as scarce suffer the less to be spoken of. By sea, that of 88, when the *Spaniards* putting themselves most upon their stirrups, sent forth that invincible *Armada* which should have swallowed up *England* quicke; the success whereof was, that although that fleet swam like mountaines upon our seas, yet they did not so much as take a Cocke-boate of ours at sea, nor fire a Cottage at land, but came through our Channel, and were driven, as Sir *Walter Raleigh* says, by Squibbs (fire Boats he meanes) from *Calais*, and were soundly beaten by our Ships in fight, and many of them funke, and finally durst not return the way they came, but made a scattered perambulation full of Shipwrecks, by the *Irish* and *Scottish* seas to get home again; just according to the curse of the Scripture, *that they came out against us one way, and fled before us seven ways*. By land, who can forget the two voyages made upon the continent it self of *Spaine*, that of *Lisbone*, and that of *Cales*, when in the former we knockt at the gates of the greatest City either of *Spaine* or *Portugall*, and came off without seeing an enemy to look upon us in the face; and though we failed in our foundation (for that *Antonio* whom we thought to replace in his Kingdom found no party at all) yet it was a true tryal of the gentleness of *Spaine*, which suffered us to goe and come without any dispute: and for the latter, of *Cales*, it ended in victory; we ravished a principal City of wealth and strength in the High Countries, sacked it, fired the *Indian* fleet that was in the

port, and came home in triumph ; and yet to this day were never put in suit for it, nor demanded reason for our doings. You ought not to forget the battaile of *Kinsale* in *Ireland*, what time the *Spanish* forces were joyned with the *Irish* (good foldiers as themselves or better) and exceeded us far in number, and yet they were soon defeated, and their General *D'Avila* taken prisoner, and that warre by that battaile quenched and ended.

And it is worthy to be noted how much our power in those days was inferiour to our present state. Then, a Lady old, and owner onely of *England*, intangled with the revolt of *Ireland*, and her confederates of *Holland* much weaker, and in no conjuncture. Now, a famous King, and strengthened with a Prince of singular expectation, and in the prime of his years, owner of the entire Isle of *Britain*, enjoying *Ireland* populate and quiet, and infinitely more supported by Confederates of the *Low-Countries*, *Denmarke*, divers of the Princes of *Germany* and others. As for the Comparison of *Spaine* as it was then, and as it is now, you will for good respects forbear to speak ; onely you will say this, That *Spaine* was then reputed to have the wisest council of *Europe*, and not a council that will come at the whistle of a favourite.

Another pointe of Experience you would not speak of, if it were not that there is a wonderfull erroneous observation, which walketh about, contrary to all the true account of time, and it is, That the *Spaniard* where he once gets in, will feldome or never be got out again (and they give it an ill-favoured *simile* which you will not name) but nothing is less true ; they got footing at *Brest*, and some other parts in *Britaine*, and quitted it: they
had

had *Calice*, *Ardes*, *Amiens*, and were part beaten out, and part they rendred: they had *Vercelles* in *Savoy* and fairly left it; they had the other day the *Valtoline*, and now have put it in depofite. What they will doe at *Ormus* we fhall fee. Soe that to fpeak truly of later times, they have rather poached and offered at a number of enterprifes, than maintained any constantly. And for *Germany*, in more ancient time, their great Emperor *Charles* after he had *Germany* almoft in his fift, was forced in the end to go from *Iſburgh* as it were in a mask by torch light, and to quit every foot of his new acquefts in *Germany*, which you hope likewise will be the hereditary Iſſue of this late purchaſe of the *Palatinate*. And thus much for Experience.

For Reason. It hath many branches; you will but extract a few firſt. It is a Nation thin ſowne of men, partly by reaſon of the ſterility of their ſoile; and partly becauſe their Natives are exhaust by ſo many employments in ſuch vaſt Territories as they poſſeſſe, ſo that it hath been counted a kind of miracle to ſee together ten or twelve thouſand native *Spaniards* in an army; and although they have at this time great numbers of *miſcellany* ſoldiours in their armies and garrifons, yet if there ſhould be the miſfortune of a battaile, they are ever long about it to drawe on ſupplies.

They tell a tale of a *Spaniſh* Ambaſſador that was brought to ſee their Treasury of *St. Marke* at *Venice*, and ſtill he looked down to the ground; and being aſked the reaſon, ſaid, *He was looking to ſee whether the treaſure had any roote, ſo that if that were ſpent, it would grow again as his Maſter's had.* But howſoever it be of their

Treasure, certainly their Forces have scarcely any roote, or at least such a roote as putteth forth very poorly and slowly, whereas there is not in the world again such a spring and seminary of military people as is *England*, *Scotland*, and *Ireland*; nor of Seamen as is this Island, and the *Low Countries*: So as if the Warres should mowe them downe, yet they suddenly may be supplied and come up againe.

A second Reason is (and it is the principall) that if wee truely consider the greatnesse of *Spaine*, it consisteth chiefly in their Treasure, and their Treasure in their *Indies*, and their *Indies* (both of them) is but an accession to such as are masters by sea; so as this axell-tree whereupon their greatnesse turnes is soon cut a two by any that shall be stronger than they at sea. So then you report your selfe to their opinions, and the opinions of all men, enemies or whosoever; whether that the maritime forces of *Britaine*, and the *Low-countries*, are not able to beat them at sea. For if that be, you see the chaine is broken from Shipping to *Indies*, from *Indies* to Treasure, and from Treasure to Greatnesse.

The third Reason (which hath some affinity with this second) is a pointe comfortable to heare in the state that we now are; Warres are generally causes of poverty and consumption. The nature of this Warre you are perswaded will bee matter of restorative and enriching; so that if we go roundly on with supplies and provisions at the first, the Warre in continuance will finde it self. That you do but pointe at this, and will not enlarge it.

Lastly, That it is not a little to be considered, that the greatnesse of *Spaine* is not only distracted extreemly, and therefore

therefore of lesse force, but built upon no very found foundations; and therefore they can have the lesse strength by any assured and confident confederacie with *France*, they are in competition for *Navarre*, *Milan*, *Naples*, and the *Franch County* of *Burgundy*, with the *See* of *Rome*, for *Naples* also; for *Portugall*, with the right heirs of that Line. For that they have in their *Low Countries*, with the *United Provinces*: for *Ormus* (now) with *Persia*; for *Valencia*, with the *Moore*s expelled and their confederates; for the *East* and *West Indies*, with all the World. Soe that if every bird had his feather, *Spaine* would be left wonderful naked. But yet there is a greater confederation against them than by meanes of any of these quarrells or titles, and that is contracted by the fear that almost all Nations have of their ambition, whereof men see no end. And thus much for the ballanceing of their forces.

For the last pointe, which is the choice of the designes and enterprises, in which to conduct the Warre; you will not now speake, because you should be forced to descend to diverse particulars, whereof some are of a more open, and some of a more secret nature. But that you would move the House to make a selected Committee for that purpose. Not to estrange the House in any sorte, but to prepare things for them, giving them power and commission to call before them, and to conferr with any martial men or others that are not of the House that they shall think fit for their advice and information. And soe to give an account of the business to a general Committee of the whole House.



THE preceding Letters and Papers were committed to the Press by Mr. Stephens before his Illness; and those which follow, being found among his Papers, are added from Originals; that no genuine Remains of the Lord Bacon, in our Power, may be lost.

The Speeches and State Papers are taken from a Manuscript Volume corrected throughout by his Lordship's Hand, which bears the following Title.

Orationes, Acta, Instrumenta circa res civiles,
FR. BACON.

A
BOOK of SPEACHES
IN
PARLAMENT,

Or otherwise delivered by

Sir Francis Bacon

THE
King's SOLLICITOR-GENERAL:

ALSO

DECLARATIONS, PROCLAMATIONS,

Or other

ACTS or INSTRUMENTS touching Matters of Estate,
Penned by him.

BOOK 1800

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1800

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1800

*Mr. BACON's Discourse in the prayse
of his Sovereigne.*

NO prayse of magnanymitye, nor of love, nor of knowlege, can intercept her prayse that planteth, and nouryssheth magnanymitye by her example, love by her person, and knowlege by the peace and serenitye of her times. And if these rych peeces be so faire unset, what are they set, and set in all perfection? Magnanymitye no doubt consisteth in contempt of peryl, in contempt of profit, and in meriting of the times wherein one lyveth. For contempt of peryl, see a Ladye that cometh to a crowne after the experyence of some adverse fortune, which for the moste parte extenuateth the minde, and maketh it apprehensive of feares. Noe sooner she taketh the scepter into her sacred hands, but she putteth on a resolution to make the greatest, the most importante, the most dangerous that can be in a state; the alteration of religion. This she doth, not after a soveraintie established and contynewed by fundrye yeres, when custome might have bred in her people a more absolute obedience; when tryal of her servants mought have made her more assured whom to imploy; when the reputation of her policy and vertue might have made her government redoubted. But at the very entrance of her rayne, when she was greene in aucthorytie, her servants scant knowen unto her, the adverse parte not weakened, her

own parte not confirmed. Neither doth shee reduce or reunite her realme to the religion of the states about her, that the evil inclynation of the subject might be counterwayled by the good correspondence in foreine partes: But contrarywyse, shee introduceth a religion exterminated and persecuted both at home and abroad. Her proceedinge herein is not by degrees and by stealth, but absolute and at once. Was shee incoraged therto by the strength she found in legues and alliances with great and potent confederates? Noe, but shee found her realme in warres with her neereft and mightiest neyghbours. Shee stood single and alone, and in legue only with one, that after the people of her natyon had made his warres, left her to make her own peace; one that could never be by anye sollicitation moved to renewe the treaties; and one that since hath proceeded from doubtful termes of amytie to the hyghest actes of hostylitie. Yet, notwithstanding the opposytion soe great, the supparte soe weake, the season soe unproper; yet, I saye, because it was a religion wherein she was nourished and brought up; a religion that freed her subjects from pretence of foreine powers, and indeed the true religion; she brought to passe this great worke with successe worthy soe noble a resolution. See a Queene, that when a deepe and secret conspiracy was plotted against her sacred person, practysed by subtile instruments, embraced by violent and desperate humors, strengthened and bound by vowes and sacraments, and the same was revealed unto her (and yet the nature of the affayres required further ripening before the apprehension of anie of the parties) was content to put her self into the garde of the divine providence,

and

and her owne prudence, to have some of the conspirators in her eyes, to suffer them to approach to her person, to take a petytion of the hand that was conjured for her death; and that with such majestic of countenance, such myldnes and serenitie of gesture, such arte and impression of wordes, as had bene sufficient to have repressd and bound the hand of a conspirator, if he had not been discovered. Lastly, see a Queene, that when her realme was to have bene invaded by an armye, the preparation whereof was like the travel of an Olyphant, the provisions were infinite, the setting forth whereof was the terror and wonder of *Europe*; it was not seene that her cheere, her fashion, her ordinary manner was anie thing altered: not a cloud of that storme did appeare in that countenance wherein peace doth ever shine; but with excellent assurance, and advised securitie she inspyred her council, animated her nobylitie, redoubled the courage of her people, still having this noble apprehension, not only that she would communicate her fortune with them, but that it was she that would protect them, and not they her: which she testified by noe lesse demonstration than her presence in campe. Therefore, that magnanymytie that neyther feareth greatnes of alteration, nor the views of conspirators, nor the power of enemy, is more than heroical.

For contempt of profit, consider her offers, consider her purchases. Shee hath rayned in a most populous, and wealthie peace, her people greatly multiplied, welthily appointed, and singularly devoted. Shee wanted not the example of the power of her armies in the memorable voyages and invasions prosperously made and atchieved by

by fundrie her noble progenitors. Shee hath not wanted pretences, as well of claime and ryght, as of quarrel and revenge. Shee hath rayned during the minoritie of some of her neyghbour princes, and during the factions and divisions of their people upon deepe and irreconcilable quarrels, and during the imbracing greatnes of some one that hath made himselfe soe weake through too much burthen, as others are through decaye of strength; and yet see her fitting as it were within the compasse of her sands. *Scotland*, that doth as it were eclipse her iland; the *United Provinces* of the *Low Countries*, which for welth, commoditie of trafique, affection to our nation were most meete to be annexed to this crowne; shee leste the possession of the one, and refused the soveraintie of the other: soe that notwithstanding the greatnes of her meanes, the justnes of her pretences, and the rarenes of her opportunitie; shee hath contynewed her first mynde, she hath made the possessions which she received the limits of her dominions, and the World the limits of her name, by a peace that hath stained all victories.

For her merits, who doth not acknowledge, that she hath bene as a starre of most fortunate influence upon the age wherein she hath shined? shall we speake of merit of clemencie? or merit of beneficence? where shall a man take the most proper and natural tryal of her royal clemencie? Will it best appeare in the injuries that were done unto her before she attayned the crowne? or after she is seated in her throne? or that the Commonwealth is incorporated in her person? Then clemencie is drawn in question, as a dangerous encounter of justice and policy.

licy. And therefore, who did ever note, that shee did relent (after that shee was established in her Kingdom) of the wrongs done unto her former estate? who doth not remember how shee did revenge the rigour and rudeness of her jaylor by a word, and that no bitter but salte, and such as shewed rather the excellencie of her wit, than any impression of her wrong? Yea, and further, is it not so manifest, that since her rayne, notwithstanding the principle that Princes should not neglect *that the Commonwelthes wrong is included in themselves*; yet when it is question of drawing the sworde, ther is ever a conflict between the justice of her place joyned with the necessitie of her state and her royal clemencye, which as a soveraigne and pretious balme continually distilleth from her fayer hands, and falleth into the wounds of manie that have incurred the offence of her lawe.

Nowe, for her beneficence, what kinde of persons have breathed during her most happie rayne, but have had the benefit of her vertues conveyed unto them? Take a view, and consider, whether they have not extended to subjects, to neighbours, to remote strangers, yea, to her greatest enemies. For her subjects, where shall we begin in such a maze of benefits as presenteth itself to remembrance? Shall we speak of the purging away of the drosse of religion, the heavenly treasure; or that of money, the earthly treasure? The greater was touched before, and the latter deserveth not to be forgotten. For who believeth not (that knoweth any thing in matter of estate) of the great absurdities and fraudes that arise of divorcing the legal estimation of monies from the general and (as I may term it) natural estimation of the metals,

tals, and againe of the uncertaintie and wavering va-
 lawes of coynes, a very labyrinth of cofinages and abuse,
 yet such as great Princes have made their profit of to-
 wards their owne people. Passe on from the *Mint* to
 the revenew and receipts: there shall yow finde, no rayfing
 of rents, notwithstanding the alteration of prices and the
 usage of the times; but the overvaleur besydes a reasona-
 ble fine left for the relief of Tenants and reward of Ser-
 vants; noe rayfing of customes notwithstanding her con-
 tinual charges of setting to the Sea; noe extremitie taken
 of forfeiture and penal lawes, meanes used by some
 Kings for the gathering of great treasures. A fewer for-
 feitures indeed, not taken to her owne purse, but set
 over to some others for the tryal only, whether gaine
 could bring those lawes to be well executed, which the
 Ministers of justice did neglect. But after it was found,
 that only compassions were used, and the law never the
 nearer the execution, the course was straight suppressed
 and discontynued. Yea, ther have bene made lawes
 more than one in her time for the restrainte of the vex-
 ation of Informers and Promoters: naye, a course taken
 by her owne direction for the repealing of all heavie
 and snared lawes, if it had not bene crossed by those to
 whom the benefit should have redounded. Ther shall
 you finde, no new taxes, impositions nor devyces; but
 the benevolence of the subject freely offred by assent of
 Parliament according to the ancient rates, and with great
 moderation in assessment; and not so only, but some new
 formes of contribution offred likewise by the subject in
 Parliament; and the demonstration of their devotion only
 accepted, but the thing never put in use. Ther shall you
 finde

finde loanes, but honourable answered and payd as it were the contracte of a private man. To conclude, there shall you find moneys levied upon failts of lands, alienation (though not of the ancient patrimonie) yet of the rich and commodious purchases and perquisites of the Crowne only, because shee will not be grevous and burthensome to the People. This treasure, soe innocently levied, so honorablie gathered and raysed, with such tendernes to the subject, without any basenes or drynes at all; how hath it bene expended and imployed? Where be the wasteful buildings, and the exorbitant and prodigal donatives, the sumptuous dissipations in pleasures, and vaine ostentations which we finde have exhausted the coffers of so many Kings? It is the honour of her house, the royal remunerating of her servants, the preservation of her people and state, the protection of her suppliants and allies, the encounter, breaking and defeating the enemies of her realme that hath bene the only pores and pipes whereby the treasure hath issued. Hath it bene the sinewes of a blessed and prosperous peace, hath shee bought her peace? hath shee lent the King of *Spaine* monie upon some cavillation not to be repeated? and soe bought his favour? and hath shee given large pensions to corrupt his Counsell? Noe, but shee hath used the most honourable diversion of troubles that canne be in the world. Shee hath kept the fyre from her own walles by seeking to quench it in her neighbours. That poore brand of the State of *Burgundy*, and that other of the Crowne of *France* that remayneth, had bene in ashes but for the readie fountaine of her continual benigneitie. For the honour of her house it is well known, that al-

most the universal manners of the times doth encline to a certaine parsimonie and drynes in that kinde of expence: yet shee retaineth the auncient magnificence, the allowance as full, the charge greater than in time of her Father, or anie King before: the bookes appeare, the computation will not flatter. And for the remunerating and rewarding of her servants, and the attendance of the Courte, let a man caste and summe up all the bookes of giftes, fee farmes, leases and custodies that have passed her bountifull hands. Let him consider again what a number of commodious and gainefull offices heretofore bestowed upon men of other education and profession have bene withdrawn and conferred upon her Courte. Let him remember, what a number of other giftes disguised by other names, but in effect as good as monie given out of her cofers, have bene granted by her, and he will conclude, that her royal minde is far above her meanes. The other benefits of her politick clement and gracious government towards the subjects are without number; the state of justice good, notwithstanding the great subtiltie and humorous affections of these times; the securitie of peace greater than can be described by that Verse;

Tutus bos etenim rura perambulat:

Nutrit rura Ceres, almaque Faustitas.

Or that other,

Condit quisque diem collibus in suis.

The opulency of the peace such as if you have respect (to take one signe for manie) to the number of fayre houses

houses that have bene built since her raigne, as *Augustus* said, that he had received the city of brick, and leste it of marble: so shee maye saye, shee received it a realme of cottages, and hath made it a realme of palaces: the state of traffique great and rich: the customes, notwithstanding these warres and interruptions not fallen; manie profitable trades, manie honourable discoveries: and lastly to make an end, where no end is; the shipping of this realme soe advanced and made soe mighty and potent, as this Iland is become (as the natural site thereof deserved) the Ladie of the Sea; a point of soe high consequence, as it may be truly said, that the commaundement of the sea is an abridgement or a quintessence of an univerfal monarchy.

This, and much more hath shee merited of her subjects: now to set forth the merit of her neyghbours and the States about her. It semeth the things have made themselves purveyors of continual newe and noble occasions for her to shewe them benignitie, and that the fyers of troubles abroad have bene ordayned to be as lights and tapers to make her vertew and magnanimitie more apparent. For when that one, stranger borne, the familie of *Guise*, being as a hastie weed sprung up in a night, had spred itself to a greatnes, not civil but seditious; a greatnes, not of encounter of the auncyent nobilitie, not of preheminencie in the favor of Kings, and not remisse of affayres from Kings; but a greatnes of innovation in state, of usurpations of authoritye, of affecting of crownes, and that accordingly under colour of consanguinitie and religion: they had brought *French* forces into *Scotland*, in the absense of their King and Queen being

within their usurped tutele: and that the auncient nobilitie of this realme, seeing the imminent danger of reducing that kingdom under the tyranny of foreiners and their faction, had according to the good intelligence betwixt the two Crownes prayed her neyghbourly succours: shee undertooke the action, expelled the strangers, restored the nobilitie to their degree; and leste anie man should think her intent was to unneastle ill neyghbours, and not to ayde good neyghbours, or that shee was readier to restore what was invaded by others than to render what was in her owne hands: see if the tyme provided not a newe occasion afterwards, when through their owne divisions (without the intermise of strangers) her forces were agayne fought and required; shee forsooke them not, prevayled so farre as to be possessed of the castell of *Edenborough*: the principal strength of that kingdome, with peace, incontinently, without cunctations or cavillations (the preambles of a wavering fayth) shee rendered with all honour and securitie; and his person to safe and faytheful hands; and soe ever after during his minoritie continewed his principal gardein and protectour. In the time and betweene the two occasions of *Scotland*, when the same faction of *Guise*, covered still with pretence of religion, and strengthened by the desire of retaining government in the *Queen Mother of France*, had raised and moved civil warres in that kingdome, only to extirpate the auncient nobilitie, by shocking them one against another, and to waste that realme as a candel which is lighted at both ends: and that those of the religion, being neare of the blood royal, and otherwise of the greatest howse in *France*, and great officers of the crowne

opposed

opposed themselves only against their insolencie, and to their supports called in her ayde, giving unto them *New-haven* for a place of securitie: see with what alacritie in tender regard towards the fortune of that young King, whose name was used to the suppliant of his strength, shee embraced the enterprise; and by their support and reputation the same partie sodainlie made great proceedings, and in conclusion made their peace as they would themselves: and although they joined themselves against her, and performed the parts rather of good patriots than of good confederates, and that after great demonstration of valour in her subjects. For as the *French* will to this day report, specially by the great mortalitie by the hande of God, and the rather because it is knowne shee did never much affecte the holdeing of that towne to her owne use; it was leste, and her forces withdrawn, yet did that nothing diminish her merite of the Crowne, and namely of that partye who recovered by it such strength as by that and no other thing they subsisted longe after: and leste that anie should sinisterly and maliciously interpret that shee did noryse those divisions; who knoweth not what faythful advice, continual and earnest sollicitation shee used by her Embassadors and Ministers to the *French* Kings successively, and to ther Mother, to move them to kepe their edicts of pacification, to retaine their owne authoritye and greatnes by the union of her subjects? Which Counsel, if it had bene as happily followed, as it was prudently and sincerely given; *France* at at this daye had bene a most flourishing kingdome, which nowe is a theatre of miserye. And nowe at last, when the said howse of *Guise*, being one of the whippes of God, whereof themselves are but the cordes, and *Spayne* the stocke,

stocke; had by their infinite aspyring practises wrought the
 miracle of States; to make a King in possession longe esta-
 blished to plaie againe for his Crowne, without anie tytle
 of a Competitour, without anie invasion of a foreine Ene-
 mye; yea, without anie combination in substance of a
 blood royal or Nobilitie: but only by furring in auda-
 cious persons into sondry government, and by making
 the populace of townes drunke with seditious preachers:
 and that King Henry the third, awaked by those pressing
 dangers, was compelled to execute the Duke of *Guise*
 without ceremony; and yet nevertheless, found the de-
 spayre of soe manie persons embarked and engaged in
 that conspiracye, soe violent, as the flame thereby was
 little asswaged; soe that he was inforced to implore her
 aydes and succors: consider, howe benigne care and good
 correspondence shee gave to the distressed requests of
 that King; and he soone after being by the sacrilegious
 hand of a wretched Jacobyn lifted up against the fa-
 cored person of his natural soveraigne taken awaie, not
 wherein the criminous blood of *Guise*, but the innocent
 blood which he hath often spilled by instigation of him
 and his house was revenged, and that this worthy Gen-
 tleman who nowe reigneth come to the Crowne; it
 will not be forgotten by soe grateful a King, nor by so
 observing an Age, howe ready, howe opportune and rea-
 sonable, howe royal and sufficient her succors were,
 whereby shee enlarged him at that tyme, and preferred
 him to his better fortune: and ever since in those tedi-
 ous warres wherein he hath to doe with a *Hydra*, or a
 monster with many heads, shee hath supported him
 with treasure, with forces, and with imployment of one
 that

that she favoereth most. What shall I speak of the offering of *Dun Anthony* to his fortune; a devoted Catholicke; only commended unto her by his oppressed state? What shall I saye of the great storme of a myghtie invasion, not of preparation, but in acte by the *Turke* upon the King of *Poland*, lately dissipated only by the beames of her reputation: which with the *Grand Signor* is greater than that of all the states of *Europe* put together. But let me rest upon the honorable and continual ayde and reliefe she hath gotten to the distressed and desolate people of the *Low Countries*; a people recommended unto her by ancient confederacye and daylye intercourse, by their cause soe innocent, and their fortune soe lamentable. And yet notwithstanding, to keepe the conformitie of her owne proceeding never stayned with the least mote of ambition or malice, shee refused the soveraintie of dyvers of those goodly provinces offered unto her with greate instance, to have bene accepted with great contentment both of her owne people and others, and justly to be derived either in respect of the hostilitie of *Spayne*, or in respect of the conditions, liberties and privileges of those subjects, and without charge danger and offence to the King of *Spayne* and his partisans. Shee hath taken upon her their defence and protection without anie further avayle or profit unto her selfe than the honor and merite of her benignitie to the people that hath bene pursued by their natural Kinge only upon passion and wrath, in such sorte that he doth consume his meanes upon revenge. And, having to verifie that which I said, that her merites have extended to her greatest enemies: let it be remembred what hath passed in that matter be-

twene the King of *Spayne* and her: howe in the beginning of the troubles there, shee gave and imparted to him faythful and friendly advice touching the course that was to be taken for quieting and appeasing of them. Then shee interposed her selfe to most just and reasonable capitulations, wherein alwayes should have bene preserved unto him as ample interest jurisdiction and superioritie in those countries as he in right could claime, or a Prince well minded would seeke to have: and (which is the greatest point) shee did by her advice, credit and policy, and all good meanes, interrupt and appeache, that the same people by despaire should not utterly alien and distracte themselves from the obedience of the King of *Spayne*, and cast themselves into the armes of a stranger: inso-much, that it is most true, that shee did ever perswade the Duke of *Anjou* from that action, notwithstanding the affection shee bare to that Duke, and the obstinacy which shee sawe daylye growing in the King of *Spayne*. Lastly, to touch the mightie general merite of this Queene, beare in minde, that her benignitie and beneficence hath bene as large as the oppression and ambition of *Spayne*. For to beginne with the Church of *Rome*, that pretended apostolick See is become but a donative cell of the King of *Spayne*; the Vicar of *Christ* is become the Kinge of *Spayne's* Chaplen; he parteth the coming in of the newe *Pope*, for the treasure of the olde: he was wont to exclude but some two or three Cardinals, and to leave the election of the rest: but now he doth include, and present directly some small number, all incapable and incompatible with the Conclave, put in only for colour, except one or two: The States of *Italye*,
they

they be like little quilletts of Freehold being intermixt in the midst of a great Honour or Lordship: *France* is turned upside downe, the subject against the Kinge, cut and mangled infinitely, a countrey of *Rodamonts* and *Roytelets*, farmers of the wayes: *Portugal* usurped by no other tittle than strength and vicinitie: The *Lowe Countries* warred upon because he seeketh, not to possesse them, for they were possessed by him before, but to plant there an absolute and martial government, and to suppress their liberties: The like at this daye attempted upon *Arragon*: The poore *Indies*, whereas the *Christian* religion generally brought infranchisement of slaves in all places where it came, in a contrary course are brought from Freemen to be slaves, and slaves of most miserable condition: Sondrye traines and practyses of this King's ambition in *Germany*, *Denmarke*, *Scotlande*, the East townes, are not unknowen. Then it is her government, and her government alone, that hath bene the skonce and forte of all *Europe*, which hath lette this prowde nation from overrunning all. If any state be yet free from his factions erected in the bowels thereof; if there be anie state wherein this faction is erected, that is not yet fyred with civil troubles; if there be anie State under his protection upon whom he usurpeth not; if there be anie subject to him that enjoyeth moderate libertie upon whom he tyranniseth not: let them all knowe, it is by the mercie of this renowned *Queene*, that standeth betweene them and their misfortunes. These be some of the beames of noble and radiant magnanimitie, in contempt of peryl which so manifestly, in contempt of profit which so many admire, and in merite of the worlde which

foe manye include in themselves; set forth in my simplicitie of speech with much losse of lustre, but with neare approach of truth; as the sunne is sene in the water.

A persona.

Now to passe to the excellencies of her person; the viewes of them wholly and not severallie, do make foe sweete a wonder, as I feare to divide them. Againe, nobilitie extracted out of the royal and victorious lyne of the Kings of *England*; yea, both roses, white and red, doe as well florishe in her nobilitie as in her beautie, as health, such as was like, shce should have that was brought forth by two of the most goodly princes of the world, in the strength of their yeares, in the heate of their love; that hath bene injured neither with an over liberal nor overcurious diet, that hath not bene sustained by an umbratile life still under the roofe, but strengthened by the use of the pure and open ayre, that still retayneth flower and vigour of youth. For the beautie and manie graces of her presence, what colours are fine enough for such a portraiture? Let noe light Poet be used for such a description, but the chastest and the royalest:

Of her gate; *Et vera incessu patuit Dea.*

Of her voice; *Nec vox hominem sonat.*

Of her Eye; *Et lætos oculis afflavit honores.*

Of her colour; *Indum sanguineos veluti violaverat astro
Siquis ebur.*

Of her necke; *Et rosea cervice, refulsit.*

Of her brest; *Veste sinus collecta fluentes.*

Of

Of her heare; *Ambrosiæque comæ divinum vertice odorem*
Spiravere.

If this be presumption, let him beare the blame that oweth the verses. What shall I speake of her rare qualities of compliment; which as they be excellent in the things themselves, so they have alwayes besides somewhat of a Queen: and as Queenes use shadowes and vailes with their rych apparel; methinke in all her qualities ther is somewhat that flyeth from ostentation, and yet inviteth the minde to contemplate her more?

What should I speake of her excellent gifte of speache, A sermon. being a character of the greatnes of her conceyte, the highte of her degree, and the sweetnes of her nature? What life, what edge is ther in those wordes and glances wherewith at pleasure she canne give a man long to thinke; be yt that shee meane to daunte him, to encourage him, or to amaze him! How admirable is her discourse, whether yt be in learning, state, or love! What varietie of knowlege; what rarenes of conceyte; what choice of wordes; what grace of utterance! Doth it not appeare, that though her wit be as the adamant of excellencies, which draweth out of anie booke auncient or newe, out of any writing or speache, the best: yet shee refineth it, shee enricheth it far above the value wherein it is received. And is her speache only that language which the childe learneth with pleasure, and not those which the studious learne with industry? hath shee not attayned, beside her rare eloquence in her owne language, infinitely polished since her happy times,

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changes

changes of her languages both learned and moderne: so that shee is able to negotiate with diuerse Ambassadors in their owne languages; and that with no disadvantage unto them, who I think cannot but have a great parte of their wittes distracted from their matters in hand to the contemplation and admiration of such perfections. What should I wander on to speake of the excellencies of her nature, which cannot endure to be looked on with a discontented eye: of the constancye of her favors, which maketh service as a journey by land, whereas the service of other princes is like an embarking by sea: for her royal wysdome and policie of government, he that shall note and observe the prudent temper shee useth in admitting accessse; of the one side maintayning the majestie of her degree, and on the other side not prejudicing her selfe by looking to her estate through too fewe windows: her exquisite judgment in choosing and finding good servants (a point beyond the former) her profound discretion in assigning and appropriating every of them to their aptest employment: her penetrating sight in discovering every man's ends and drifts: her wonderful arte in keeping servants in satisfaction and yet in appetite: her inventing wit in contriving plots and overturnes: her exact caution in censuring the propositions of others for her service: her foreseeing events; her usage of occasions; he that shall consider of these, and other things that maye not well be touched, as he shall never cease to wonder at such a Queene, soe he shall wonder the lesse, that in soe dangerous times when wyttes are soe cunning, humors extravagant, passions soe violent, the corruptions soe great, the dissimulations soe deepe, factions soe ma-

nie:

nie: Shee hath notwithstanding done such greate things, and rayned in felicitie.

To speake of her fortune, that which I did reserve ^{A fortunâ.} for a garlande of her honour; and that is that shee li- veth a virgin, and hath noe children: Soe it is that which maketh all her other vertues and aëts more sacred, more august, more divine. Let them leave children, that leave no other memorie in their times: *Brutorum æter- nitas, soboles*. Revolve in histories the memories of happy men, and you shall not finde anie of rare felicitie, but ei- ther he dyed childeless, or his lyne spent soone after his death; or else was unfortunate in his Children. Should a man have them to be slayne by his vassalles, as the *posthu- mus* of *Alexander* the great was? or to call them his impostors, as *Augustus Cæsar* called his? Peruse the ca- talogue: *Cornelius Sylla, Julius Cæsar, Flavius Vespas- ianus, Severus, Constantinus* the great, and manie moe. *Generare & liberi, humana: Creare & opera, divina*. And therefore, this objection removed, let us proceed to take a view of her felicitie.

A mate of fortune shee never tooke: only some adver- ^{A felicitate.} sitie shee passed at the first, to give her a quicker sense of the prosperitie that shoulde followe, and to make her more reposed in the divine providence. Well, shee cometh to the Crowne: It was noe small fortune to finde at her entrance some such servants and Counsellors as shee then found. The *Frenche* King, who at this time by reason of the peace concluded with *Spayne*, and of the interest he had in *Scotland*, mought have proved a dangerous neyghbour: by howe strange an accident was he taken away? The King of *Spayne*; who, if he would

would have enclyned to reduce the *Lowe Countries* by lenitie, confydering the goodly renewes which he drewe from those Countries, the great commoditie to annoy her state from thence, might have made mightye and perilous matches against her repose; putteth on a resolution not only to use the meanes of those Countries, but to spend and consume all his other meanes, the treasure of his *Indies*, and the forces of his ill compacted dominions there and upon them. The *Carles* that rebelled in the *Northe*, before the Duke of *Norfolk's* plot (which indeed was the strength and seal of that commotion) was fully ripe, brake forth and prevented their time. The Kinge, *Sebastian of Portugale*, whome the Kinge of *Spayne* would faine have perswaded that it was a devouter enterprise to purge *Christendome* than to enlarge it (though I knowe some thinke that he did artificially nourishe him in that voyage) is cut a pieces with his armie in *Africa*: Then hath the Kinge of *Spayne* worke cut out to make all things in redines during the old Cardinal's time for the conquest of *Portugale*; whereby his desyer of invading of *England* was flakened and put off some yeares, and by that meanes was put in execution at a time for some respects much more to his disadvantage: And the same invasion, like and as if it had bene attempted before, it had the time much more proper and favorable; foe likewise, had it in trew discourse a better season afterwards: for, if it had bene dissolved till time that the *League* had bene better confirmed in *France*; which noe doubt would have bene, if the Duke of *Guise*, who was the only man of worth on that side, had lived; and the *French* Kinge durst never have

have layed hand upon him, had he not bene animated by the *Inglish* victorie against the *Spaniards* precedent. And then, if some maritime towne had bene gotten into the hands of the *League*, it had bene a great suretye and strengthe to the enterprise. The *Popes*, to consider of them whose course and policie it had bene (knowing her Majestie's natural clemencye) to have temporized and dispensed with the Papists coming to Church, that through the maske of their hypocrisie they mought have bene brought into places of government in the state and in the Countrey: these, contrarywise, by the instigation of some fugitive scholars that advised them, not that was best for the see of *Rome*, but what agreed best with their egar humours and desperate states; discover and declare themselves soe farre by sending most *Seminaries*, and taking of reconcilements, as there is nowe severitie of lawes entroduced for the repressing of that sorte, and men of that religion are become the suspecte. What should I speake of soe manie conspiracies miraculously detected? The records shew the treasons: but it is yet hidden in manie of them howe they came to light. What should I speake of the oportune death of her enemies? and the wicked instruments towards her estate? *Don Juan* dyed not amisse: *Darleigh*, Duke of *Lenox* who was used as an instrument to divorce *Scotland* from the amytie of *England*, dyed in no ill season: a man withdrawn indeed at that time to *France*; but not without great helpe. I maye not mention the death of some that occurre to minde: but still methinke, they live that should live, and they dye that should dye. I would not have the Kinge of *Spayne* dye yet: he is *seges gloriae*:
but

but when he groweth dangerous, or anie other besides him; I am perswaded they will dye. What should I speake of the fortunes of her armies, which notwithstanding the inward peace of this nation, were never more renowned? What should I recount *Leith* and *New-haven* for the honorable skirmishes and services? They are noe blemish at all to the *Militia* of *England*.

In the *Lowe Countries*; the *Lammas* daie, the re-traicte of *Gante*, the daye of *Zatphen*, and the prosperous progresse of this sommer: the *Bravado* in *Portugale*, and the honourable exploits in the ayde of the *French* Kinge, besides the memorable voyages in the *Indies*; and lastly, the good entertaynment of the invincible *Navy*; which was chased till the chasers were wearye, after infinite losse, without taking a Cockboate, without fying a shepecoat, sayled on the mercyes of the winde, and the discretion of their adventures, making a perambulation or pilgrimage about the *Northern* seas, and ignobling manie shores and points of land by shipwreck: and soe returned home with skorne and dishonour, much greater than the terrour and expectation of their setting forth.

These vertewes and perfections, with soe greate felicitie, have made her the honour of her tymes, the admiration of the worlde, the suite and aspyring of greatest Kings and Princes, who yet durst never have aspyred unto her, but as their mindes were rayfed by Love.

But why doe I forget, that wordes doe extenuate and embaise matters of soe great wayghte. Tyme is her best commender, which never brought forth such a Prince, whose imperial vertewes contend with the excellencie of

her person: both vertewes contend with her fortune: and both vertew and fortune contend with her fame.

Orbis amor, famæ carmen, cælique pupilla:

Tu decus omne tuis, tu decus ipsa tibi!

The Proceedings of the Earle of Essex.

The pointes of forme worthy to be observed.

THE fifth of June in Trinity Term, upon Thursday, being no Starr-Chamber Day, at the ordinary houre when the Courts sit at Westminster, were assembled together at the Lord-Keeper's house in the Great Chamber, her Majesty's Privy-Council, enlarged and assisted for that time and cause by the special call and associating of certaine selected persons, viz. four Earls, two Barons, and four Judges of the law, making in the whole a Council or Court of eighteen persons, who were attended by four of her Majesty's learned Counsel for charging the Earl; and two clerks of the Council, the one to read, the other as a Register, and an auditory of persons, to the number, as I could guess, of two hundred, almost all men of quality, but of every kind or profession; Nobility, Court, Law, Country, City. The upper end of the table left void for the Earl's appearance, who, after the Commissioners had sat a while, and the Auditory was quiet from the first throng to get in, and the Doors

shut, presented himself and kneeled down at the bord's end, and so continued till he was licensed to stand up.

The Names of the COMMISSIONERS.

Lord Archbishop,
Lord Keeper, &c.

*A Declaration
of her Maje-
sty's proceeding.*

IT was opened, that her Majestie being imperial, and immediate under God, was not holden to render account of her actions to any; howbeit, because she had chosen ever to governe, as well with satisfaction as with soveraignty; and the rather, to command down the windes of malicious and seditious rumors wherewith mens conceits maie have been tossed to and fro, she was pleased to call the World to an understanding of her princely course held towards the Earle of *Essex*, as well in herebefore protracting as in now proceeding.

The Earle repairing from his government into this realme in *August* last, contrary to her Majesty's expresse and most judicial commandment, though the contempt were in that point visible, and her Majesty's mind prepared to a just and high displeasure, in regard of that realme of *Ireland* set at hazard by his former disobedience to her royal directions, yet kept that stay, as she commanded my Lord only to his chamber in court, until his allegations might by her Privy-Council be questioned and heard; which account taken, and my Lord's answers appearing to be of no defence, that shadow of defence which was offered consisted of two parts, the one his owne conceit of some likelyhood of good effects to ensue of the course held, the other a vehement and

over-

over-ruling perswasion of the Council there (though he were indeed as absolutely freed from opinion of the Council of *Ireland*, as he was absolutely tied to her Majesty's trust and instructions.) Nevertheless her Majestie not unwilling to admit any extenuation of his offence; and considering the one point required advertizement out of *Ireland*, and the other further expectation of the event and sequel of the affaires there (and so both points asked time and protraction;) her Majestie proceeded still with reservation, not to anie restraint of my Lord according to the nature and degree of his offence, but to a commitment of him, *sub libera custodia*, in the Lord Keeper's house.

After, when both partes of this difference plainly failed my Lord, yea and proved utterly adverse to him (for the Council of *Ireland* in plaine termes disavowed all those his proceedings, and the event made a miserable interpretation of them,) then her Majestie began to behold the offence in nature and likeness, as it was de-vested from any palliation or cover, and in the true proportion and magnitude thereof, importing the peril of a Kingdom; which consideration wrought in her Majestie a strange effect (if any thing which is heroical in vertue can be strange in her nature) for when offence was grown unmeasurably offensive, then did grace superabound; and in the heat of all the ill news out of *Ireland*, and other advertizements thence to my Lord's disadvantage, her Majestie entred into a resolution, out of her self and her inscrutable goodness, not to overthrow my Lord's fortune irreparably, by publique and proportionable justice: Notwithstanding, inasmuch as about that

time there did fly about in *London* streets and theatres divers seditious libels; and *Powles* and Ordinaries were full of bold and factious discourses, whereby not onely many of her Majesty's faithful and zealous Counsellors and servants were taxed, but withal the hard estate of *Ireland* was imputed to any thing rather then unto the true cause (the Earle's defaults) though this might have made any Prince on earth to lay aside straightways the former resolution taken, yet her Majestie in her moderation persisted in her course of clemencie, and bethought her self of a meane to right her own honour, and yet spare the Earle's ruine; and therefore taking a just and most necessary occasion upon these libels, of an admonition to be given seasonably, and as is oft accustomed; the last *Star-Chamber* day of *Michaelmas* terme was pleased, that declaration should be made, by way of testimonie, of all her honourable Privy-Council of her Majesty's infinite care, royal provisions, and prudent directions for the prosecutions in *Ireland*, wherein the Earles errors (by which meanes soe great care and chardge was frustrated) were incidently touched.

But as in bodies very corrupt, the medicine rather stirreth and exasperateth the humor than purgeth it, soe some turbulent spirits laid hold of this proceeding in soe singular partialitie towards my Lord, as if it had been to his disadvantage, and gave out that this was to condemn a man unheard, and to wound him on his back, and to leave justice her sword, and take away her ballance, which consisted of an accusation and a defence, and such other seditious phrases; whereupon her Majestie seeing her selfe interested in honour, which she hath ever

sought

sought to preserve as her eye, cleere and without mote, was inforced to resolve of a judicial hearing of the cause, which was accordingly appointed in the end of *Hilary* terme. At the which time warning being given to my Lord to prepare himself, he falling as it seemed in a deep consideration of his estate, made unto her Majestie by letter an humble and effectual submission, beseeching her that, that bitter cup of justice mought pass from him (for those were his wordes;) which wrought such an impression in her Majesty's mind, that it not only revived in her her former resolution to forbear any publique hearing, but it fetched this vertue out of mercy by the only touch, as few days after my Lord was removed to further liberty in his own house, her Majestie hoping that these bruits and malicious imputations would of themselves wax old and vanish; but finding it otherwise in prooffe, upon taste taken by some intermission of time, and especially beholding the humor of the time in a letter presumed to be written to her Majestie her self by a Lady, to whom though nearest in blood to my Lord, it appertained little to intermeddle in matters of this nature, otherwise then in course of humility to have solicited her grace and mercy; in which letter, in a certain violent and mineral spirit of bitterness, remonstrance and representation is made to her Majestie, as if my Lord suffered under passion and faction, and not under justice mixed with mercy: which letter, though written to her sacred Majestie, and therefore unfit to pass in vulgar hands, yet was first divulged by copies every where (that being as it seemeth the newest and finest forme of libelling) and since committed to the press,

her

her Majestie in her wisdom seeing manifestly these rumors thus nourished had got too great a head to be repressed without some hearing of the cause, and calling my Lord to answer. And yet on the other side being still informed touching my Lord himself, of his continuance of penitence and submission, did in conclusion resolve to use justice, but with the edge and point taken off and rebated; for whereas nothing leaveth that teint upon honor (which in a person of my Lord's condition is hardliest repaired) in question of justice, as to be called to the ordinary and open place of offenders and criminals, her Majestie had ordered that the hearing should be *intra domesticos parietes*, and not *luce forensi*. And whereas again in the *Star-Chamber* there be certaine formalities (not fit in regard of example to be dispensed with) which would strike deeper both into my Lord's fortune and reputation; as the fine which is incident to a sentence there given, and the imprisonment of the *Tower*, which in case of contempts that touch the point of estate doth likewise follow; her Majestie turning this course, had directed that the matters should receive before a great, honourable, and selected Council, a full and deliberate (and yet in respect) a private mild and gracious hearing.

All this was not spoken in one undivided speech, but partly by the first that spake of the learned Counsel, and partly by some of the Commissioners: for in this and the rest I keep order of matter, and not of circumstance.

The matters laid to my Lord's charge.

The matters wherewith my Lord was charged were *The charge.* of two several natures; of an higher, and of an inferior degree of offence.

The former kind purported great and high contempts and points of misgovernance in his office of her Majesty's Lieutenant and Governor of her realme of *Ireland*; and in the trust and authority thereby to him committed.

The latter contained divers notorious errors and neglects of duty, as well in his government as otherwise.

The great contempts and points of misgovernment and malversation in his office, were articulate into three heads.

- I. The first was the army into *Munster*, whereby the *The three principal Articles.* prosecution in due time upon *Tyrone* in *Ulster* was overthrowne, wherein he proceeded contrary to his directions, and the whole design of his employment; whereof ensued the consumption of her Majesty's army, treasure and provisions, and the evident peril of that kingdom.
- II. The second was the dishonourable and dangerous treaty held, and cessation concluded with the same arch rebel *Tyrone*.
- III. The third was his contemptuous leaving his government, contrary to her Majesty's absolute mandate under her hand and signet, and in a time of so imminent and instant danger.

For

For the first, it had two partes; that her Majesty's resolution and direction was precise and absolute for the Northern prosecution, and that the same direction was by my Lord, in regard of the journey to *Munster*, willfully and contemptuously broken.

That her Majesty's direction was precise and absolute for the Northern prosecution.

It was therefore delivered that her Majestie, touched with a true and princely sense of the torne and broken estate of that Kingdom of *Ireland*, entered into a most christian and magnanimous resolution to leave no facultie of her regal power or policy unmployed for the reduction of that people, and for the suppressing and utter quenching of that flame of rebellion, wherewith that Countrey was, and is wasted: whereupon her Majestie was pleased to take knowledge of the general conceipt, how the former makeing and manageing of the actions there had been taxed, upon two exceptions; the one, that the proportions of forces which had been there maintained and continued by supplies, were not sufficient to bring the prosecutions to a period: the other, that the prosecutions had been also intermixed and interrupted with too many temporizing treaties, whereby the Rebel did not only gather strength, but also find his strength more and more, soe as ever such smothers broke forth again into greater flames. Which kind of discourfes and objections, as they were entertained in a popular kind of observation, soe were they ever chiefly patronized and apprehended by the Earle, both upon former times and occasions, and now last when this matter was in deliberation. Soe as her Majestie to acquit her honor and regal function, and to give this satisfaction to her self and others, that she had left no way untried,

untried, resolved to undertake the action with a royal Army and puissant forces, under the leading of some principal Nobleman; in such sort, that as far as humane discourse might discern, it might be hoped that by the expedition of a Summer, things might be brought to that state, as both realms may feele some ease and respiration; this from chardge and levies, and that from troubles and perilles. Upon this ground her Majestie made choice of my Lord of *Essex* for that service, a principal Peere and officer of her realme, a person honoured with the trust of a Privy Counsellor, graced with the note of her Majesty's special favor, infalliblie betokening and redoubling his worth and value, inabled with the experience and reputation of former services, and honorable chardges in the warrs; a man every way eminent, select and qualified for a General of a great enterprize, intended for the recovery and reduction of that Kingdom, and not onely or meerly as a Lieutenant or Governor of *Ireland*.

My Lord, after that he had taken the chardge upon him, fell straightways to make propositions answerable to her Majesty's ends, and answerable to his own former discourses and opinions; and chiefly did set down one full and distinct resolution, that the designe and action, which of all others was most final and summary towards an end of those troubles, and which was worthy her Majesty's enterprize, with great and puissant forces was a prosecution to be made upon the Arch-traitor *Tyronne* in his own strengths within the province of *Ulster*, whereby both the inferior rebels which relie upon him, and the forrener upon whom he relieth might

be discouraged, and so to cut asunder both dependances: and for the proceeding with greater strength and pollicy in that action, that the main invasion and impression of her Majesty's army should be accompanied and corresponded unto by the plantation of strong garrisons in the North, as well upon the river of *Loghfoile* as a posterne of that province, as upon the hether frontiers, both for the distracting and brideling of the rebells forces during the action; and againe, for the keeping possession of the victory, if God should send it.

This proposition and project moving from my Lord, was debated in many consultations. The principal men of judgment and service in the warrs, as a councill of warr, to assist a councill of state were called at times unto it; and this opinion of my Lord was by himselfe fortified and maintained against all contradiction and opposite argument; and in the end, *ex unanimi consensu*, it was concluded and resolved that the axe should be put to the root of the tree; which resolution was ratified and confirmed by the binding and royal judgment of her sacred Majestie, whoe vouchsafed her kingly presence at most of those consultations.

According to a proposition and enterprize of this nature, were the proportions of forces and provisions thereunto allotted. The first proportion set downe by my Lord was the number of 12000 foote and 1200 horse; which being agreed unto, upon some other accident out of *Ireland* the Earle propounded to have it made 14000 foot, and 1300 horse, which was likewise accorded: within a little while after the Earle did newly insist to have an augmentation of 2000 more, using great persuasions

swasions and confident significations of good effect if those numbers might be yielded to him, as which he also obtained before his departure; and besides the supplies of 2000 arriving in *July*, he had authority to raise 2000 *Irish* more, which he procured by his letters out of *Ireland*, with pretence to further the Northern service; soe as the army was raised in the conclusion and list to 16000 foote, and 1300 horse, supplied with 2000 more at three months end, and increased with 2000 *Irish* upon this new demand; whereby her Majestie at that time paid 18000 foote and 1300 horse in the realme of *Ireland*. Of these forces, divers companies drawne out of the experienced bands of the *Low-Countries*, special care taken that the new levies in the country should be of the ablest, and most disposed bodies; the army alsoe animated and encouraged with the service of divers brave and valiant Noblemen and Gentlemen voluntaries; in summe, the most flourishing and compleat troupes that have been known to have been sent out of our nation in any late memory. A great mass of treasure provided and issued, amounting to such a total, as the chardge of that army, all manner of ways, from the time of the first provisions and setting forth, to the time of my Lord's returning into *England*, was verified to have drawn out of the cofers, besides the chardge of the country, the quantity of 300000 *l.* and soe ordered, as he carried with him three months pay before hand, and likewise victual, munition, and all habiliments of warr whatsoever, with attendance of shipping allowed and furnished in a sortable proportion, and to the full of all my Lord's own demands; for my Lord being himselfe a principal Counsellor for the preparati-

ons, as he was to be an absolute Commander in the execution, his spirit was in every conference and conclusion, in such sort, as when there happened any points of difference upon demands, my Lord using the forceible advantages of the toleration and liberty which her Majesty's special favor did give unto him, and the great devotion and forwardness of his fellow Counsellors to the general cause, and the necessity of his then present service, he did ever prevail and carry it; insomuch as it was objected and laid to my Lord's charge as one of his errors and presumptions, that he did oftentimes upon their propositions and demands enter into contestations with her Majestie, more a great deal than was fit. All which propositions before mentioned being to the utmost of my Lord's own askeings, and of that height and greatness, might really and demonstrativelie express and intimate unto him, besides his particular knowledge which he had as a Counsellor of estate, of the meanes both of her Majestie and this kingdom, that he was not to expect to have the commandment of 16000 foot and 1300 horse as an appurtenance to his lieutenantancy of *Ireland*, which was impossible to be maintained, but contrariwise, that in trueth of intention, he was designed as General for one great action and expedition, unto which the rest of his authority was but accessary and accomodate.

It was delivered further, that in the authority of his commission, which was more ample in many points than any former Lieutenant had been vested with; there were many direct and evident marks of his designation to the Northern action, as principally a clause whereby

Merum arbitrium belli & pacis, was reposed in his sole trust and discretion, whereas all the Lieutenants were ever tied unto the peremptory assistance and admonition of a certaine number of voices of the Council of *Ireland*. The occasion of which clause soe passed to my Lord, doth notably disclose and point unto the precise trust committed to my Lord for the Northern journey; for when his commission was drawne at first according to former presidents, and on the other side my Lord insisted strongly to have this new and *prima facie* vast and exorbitant authority, he used this argument; that the Council of *Ireland* had many of them liveings and possessions in or near the province of *Leinster* and *Munster*: but that *Ulster* was abandoned from any such particular respects, whereby it was like the Council there would be glad to use her Majesty's forces for the clearing and assuring of those territories and countries where their fortunes and estates were planted; soe as if he should be tied to their voices, he were like to be diverted from the maine service intended, upon which reason that clause was yielded unto.

Soe as it was then concluded that all circumstances tended to one point, that there was a full and precise intention and direction for *Ulster*, and that my Lord could not descend into the consideration of his owne qualitie and vawew, he could not muster his faire army, he could not account with the Treasurer and take consideration of the great mass of treasure issued, he could not look into the ample and new clause of his letters patents, he could not look back, either to his own former discourages, or to the late propositions whereof himselfe was
author,

author, nor to the conferences, consultations and conclusions thereupon, nor principally to her Majesty's royal direction and expectation, nor generally to the conceit both of subjects of this realm, and the Rebels themselves in *Ireland*; but which way soever he turned, he must find himselfe trusted, directed, and engaged wholly for the Northern expedition.

The parts of this that was charged were verified by three proofes; the first, the most authentical but the least professed, and that was her Majesty's own royal affirmation, both by her speech now and her precedent letters; the second, the testimony of the Privy Council, who upon their honours did avouch the substance of that was chardged, and referred themselves alsoe to many of their Lordships letters to the same effect; the third, letters written from my Lord after his being in *Ireland*, whereby the resolution touching the designe of the North is often knowledged.

The proofes.

There follow some clauses both of her Majesty's letters and of the Lords of her Council, and of the Earle's and the Council of *Ireland* for the verification of this point.

Her Majestie, in her letter of the 19th of *July* to my Lord of *Essex*, upon the lingering of the Northern journey, doubting my Lord did value service, rather by the labor he indured, then by the advantage of her Majesty's royal ends, hath these words:

Her Majesty to the Earle of Essex 19th July, immediately after the Munster journey.

[You have in this dispatch given us small light, either when or in what order you intend particularly to proceed to the Northern action; wherein if you compare the time that is run on, and the excessive chardges that are spent

spent, with the effects of any thing wrought by this voyage (howsoever we remaine satisfied with your own particular cares and travels of body and mind) yet you must needs think that we that have the eyes of forreign Princes upon our actions, and have the hearts of people to comfort and cherish, who groan under the burden of continual levies and impositions, which are occasioned by these late actions, can little please our selfe hether-to with any thing that hath been effected.]

In another branch of the same letter, reflecting her royal regard upon her owne honour interested in this delay, hath these words.

[Whereunto we will add this one thing that doeth more displease us then any chardge or offence that happens, which is, that it must be the Queen of *England's* fortune (who hath held down the greatest enemy she had) to make a base bushkerne to be accounted foe famous a Rebel, as to be a person against whome soe many thousands of foote and horse, beside the force of all the Nobility of that kingdom, must be thought too little to be employed.] *A second clause of the same letter.*

In another branch, discovering as upon the advantage ground of her princely wisdom what would be the issue of the courses then held, hath these words.

[And therefore although by your letter, we found your purpose to go Northwards, on which depends the main good of our service, and which we expected long since should have been performed; yet because we do hear it bruited (besides the words of your letter written with your own hand, which carries some such sense) that you who alledge such sickness in your army by being travelled *A third clause of the same letter.*

velled with you, and find foe great and important affairs to digest at *Dublin*, will yet ingage your self personally into *Ophalie* (being our Lieutenant) when you have there foe many inferiors able, might victual a fort, or seek revenge against those who have lately prospered against our forces. And when we call to mind how far the sun hath run his course, and what dependeth upon the timely plantation of garrisons in the North and how great scandal it would be to our honour to leave that proud Rebel unassailed, when we have with so great an expectation of our enemies engaged our selves so far in the action; foe that without that be done, all those former courses will prove like *via navis in mari*: besides that our power, which hetherto hath been dreaded by potent enemies, will now even be held contemptible amongst our Rebels. We must plainly chardge you according to the duty you owe to us, foe to unite soundness of judgment to the zeal you have to doe us service, as with all speed to pass thether in such sort, as the axe might be put to the root of that tree, which hath been the treasonable stock from whom foe many poysoned plants and grafts have been derived; by which proceedings of yours, we may neither have cause to repent our imployment of your selfe for omitting those opportunities to shorten the warrs, nor receive in the eye of the world imputation of foe much weakness in our selfe to begin a worke without better foresight, what would be the end of our excessive chardge, the adventure of our peoples lyves, and the holding up of our own greatness against a wretch whom we have raised from the dust, and who could never prosper, if the

chardges

chardges wee have been put to were orderly im-
ployed.

Her Majestie in her particular letter written to my Lord the 30th of *July*, bindeth still expressly upon the Northern prosecution, my Lord, *ad principalia rerum*, in these words.

*Her Majestie
to my Lord of
Essex 30th
July.*

[First, you know right well when wee yielded to this excessive chardge, it was upon no other foundation then to which your selfe did ever advise us as much as any, which was to assaile the Northern traitor, and to plant garrisons in his countrey; it being ever your firm opinion, amongst other our Council, to conclude that all that was done in other kind in *Ireland*, was but waste and consumption.]

Her Majestie in her letter of the 9th of *August* to my Lord of *Essex* and the Councel of *Ireland*, when after *Munster* journey, they began in a new time to dissuade the Northern journey in her excellent ear, quickly finding a discord of men from themselves, chardgeth them in these words.

[Observe well what wee have already written, and apply your Counsels to that which may shorten, and not prolong the warr; seeing never any of you was of other opinion, then that all other courses were but consumption, except we went on with the Northern prosecution.]

*Her Majestie
to my Lord and
the Council of
Ireland 9th
August.*

The Lords of her Majesty's Council in their letter of the 10th of *August* to my Lord of *Essex* and the Council of *Ireland*, do in plaine termes lay before them the first plot, in these words.

*The Lords of
the Council to
my Lord and
the Council of
Ireland 10^b
August.*

[Wee cannot deny but wee did ground our Counsels upon this foundation, that there should have been a prosecution of the capital rebels in the North, whereby the warr might have been shortened; which resolution, as it was advised by your selfe before your going, and assented to by most part of the Council of warr that were called to the question, soe must wee confesse to your Lordship, that we have all this while concurred with her Majestie in the same desire and expectation.]

My Lord of *Essex* and the Council of *Ireland*, in their letter of the 5th of *May* to the Lords of the Council before the *Munster* journey, write in *hæc verba*.

*My Lord of
Essex and the
Council of Ire-
land to the
Lords, 5th May.*

[Moreover, in your Lordship's great wisdom, you will likewise judge what pride the rebels will grow to, what advantage the forreigne enemy may take, and what loss her Majestie shall receive, if this Summer the arch traitor be not assailed, and garrisons planted upon him.]

My Lord of *Essex* in his particular letter of the 11th of *July*, to the Lords of the Council after *Munster* journey, writeth thus.

*The Earl to the
Lords, 11th Ju-
ly.*

[As fast as I can call these troops together, I will goe looke upon yonder proud rebel, and if I find him on hard ground, and in an open countrey; though I should find him in horse and foot three for one, yet will I by God's grace dislodge him, or put the Council to the trouble of, &c.]

The Earle of *Essex* in his letter of the 14th of *August* to the Lords of the Council, writeth out of great affection, as it seemeth, in these words.

*The Earl to
the Lords, 14th
August.*

Yet must these rebels be assailed in the height of their pride, and our base clownes must be taught to fight again,

gain, else will her Majesty's honour never be recovered, nor our nation valued, nor this kingdom reduced.]

Besides it was noted, that whereas my Lord and the Council of *Ireland*, had by theirs of the 15th of *July* desired an increase of 2000 *Irish* purposely for the better setting on foot of the Northern service; her Majesty, notwithstanding her proportions by often gradations and risings, had been raised to the highest elevation, yet was pleased to yield unto it.

1. The first part concerneth my Lord's ingress into his charge, and that which passed here before his going hence; now followeth an order, both of time and matter, what was done after my Lord was gone into *Ireland*, and had taken upon him the government by her Majesty's Commission.

2. The second part then of the first article was to shew, that my Lord did wilfully and contemptuously in this great point of estate, violate and infringe her Majesty's direction before remembred.

In delivering of the evidence and proofes of this part it was laid down for a foundation, that there was a full performance on her Majesty's part of all the points agreed upon for this great prosecution, so as there was no impediment or cause of interruption from hence.

This is proved by a letter from my Lord of *Essex*, and the Council of *Ireland* to the Lords of the Council here, dated 9th *May*, which was some three weeks after my Lord had received the sword, by which time he might well and thorowly inform himself whether promise were kept in all things or no, and the words of the letter are these.

That my Lord did wilfully and contemptuously violate her Majesty's direction touching the Northern prosecution.

*The Earle of
Essex and the
Council of Ire-
land to the
Lords of the
Council, 9th
May.*

[As your Lordships do very truly set forth, we do very humbly acknowledge her Majesty's chargeable magnificence and royal preparations and transportations of men, munition, apparel, money and victuals for the recovery of this distressed kingdom,] where note, the transportations acknowledged as well as the preparations.

Next, it was set down for a second ground, that there was no natural nor accidental impediment in the estate of the affairs themselves, against the prosecution upon *Tyronne*, but only culpable impediments raised by the journey of *Munster*.

*The Earle of Essex and the
Council of Ire-
land to the
Lords of the
Council 28th
of April.*

This appeared by a letter from my Lord and the Council of *Ireland* to the Lords of the Council here, dated the 28th of *April*, whereby they advertize, that the prosecution of *Ulster*, in regard of lack of grasse and forrage, and the poorness of cattle at that time of year, and such like difficulties of the season, and not of the matter, will in better time, and with better commodity for the army, be fully executed about the middle of *June* or beginning of *July*; and signifye, that the Earle intended a present prosecution should be set on foot in *Lemster*, to which letters the Lords make answer by theirs of the 8th of *May*, signifyeing her Majesty's toleration of the delay.

Of the STATE of EUROPE.

IN the confideration of the prefent ftate of *Chriftendom*, depending on the inclinations and qualities of the Princes, governors of the fame: Firft the perfon of the Pope, acknowledged for fupreme of the Princes Catholick, may be brought forth.

Gregory the XIII. of the age of feventy yeares, *Pope*. by furname *Boncompagno*, born in *Bolonia* of the meaneft ftate of the people; his father a fhoe-maker by occupation, of no great learning nor underftanding, bufye rather in praetyfe, then defirous of warres, and that rather to further the advancement of his fonne and his houfe (a refpect highly regarded of all the Popes) then of any inclination of nature, the which yet in thefe yeares abhorreth not his fecret pleasures. Howbeit, two things efpecially have fet fo fharp edge to him, whereby he doth bend himfelf fo vehemently againft Religion. The one is a meer neceffitie, the other the follicitation of the King of *Spaine*. For if we confider dulye the eftate of the prefent time, we fhall find that he is not fo much carryed with the defire to fuppreffe our religion, as driven with the fear of the downfall of his own, if in time it be not upheld and reftored.

The reafons be thefe; he feeth the King of *Spaine* already in yeares, and worn with labour and troubles, that there is little hope in him of long life. And he
failing

failing there were likelie to ensue great alterations of state in all his dominions, the which should be joined with the lyke in religion, especially in this divided time, and in *Spaine* already so forward, as the fury of the inquisition can scarce keep in.

In *Fraunce*, the state of that Church seemeth to depend on the sole life of the King now reigning, being of a weak constitution full of infirmities, not lykely to have long lyfe, and quite out of hope of anie issue. Of the Duke of *Anjou* he doth not assure himself, besides the opinion conceived of the weakness of the complexion of all that race, giving neither hope of length of life nor of children. And the next to the succession make already profession of Religion, besides the increase thereof daily in *Fraunce*; *England* and *Scotland* are already, God be thanked, quite reformed, with the better part of *Germany*. And because the Queen's Majesty hath that reputation to be the defender of the true religion and faith, against her Majesty as the head of the faithful, is the drift of all their mischieves.

The King of *Spaine* having erected in his conceipt a monarchie, wherein seeking reputation in the protection of Religion, this conjunction with the Pope is as necessary to him for the furtherance of his purposes, as to the Pope behoveful for the advancing of his house and for his authority; the King of *Spaine* having already bestowed on the Pope's sonne, degree of title and of office, with great revenews. To encourage the Pope herein, being head of the Church, they set before him the analogy of the name *Gregorye*, saying that we were first under a *Gregorye* brought to the faith, and by a
Gregorye

Gregorye are againe to be reduced to the obedience of *Rome*.

A prophecy likewise is found out that foretelleth, the Dragon sitting in the chair of *Peter*, great things should be brought to pass.

Thus is the King of *Fraunce* solicited against those of the Religion in *Fraunce*; the Emperour against those in his dominions; divisions set in *Germany*; the *Lowe Countrie* miserably oppressed; and daily attempts against her Majestie, both by force and practyse: Hereto serve the seminaries, where none are now admitted, but take the oath against her Majestie.

The sect of the Jesuites are special instruments to alienate the people from her Majestie, sowe faction, and to absolve them of the oath of obedience, and prepare the way to rebellion and revolt.

Besides, for confirmation of their owne religion they have used some reformation of the Clergie, and brought in catechysing.

To goe forth with the Princes of Italy next in sytuation.

The Great Duke of *Tuscane*, *Francesco de Medici*, Duke of Tuscane. sonne to *Cosmo*, and the third Duke of that family and province; of the age of forty yeares, of disposition severe and sadde, rather than manly and grave; no princely port or behaviour more then a great justicer, inclined to peace, and gathering money. All *Tuscany* is subject unto him, wherein were diverse Commonwealths; whereof the chief were *Florence*, *Siena* and *Pisa*, *Prato* and *Pistoia*, saveing *Lucca* and certaine fortes on the Seacoast, held by the King of *Spaine*.

He

He retayneth in his service few, and they strangers, to whom he giveth pensions. In all his Citadels he hath garrison of *Spaniards*, except at *Siena*; in house-keeping spendeth little, being as it were in pension, agreeing for so much the year with a Citizen of *Florence* for his dyet, he has a small guard of *Swissers*, and when he rideth abroad a guard of forty light horsemen. The militia of his country amounteth to forty thousand soldiers, to the which he granteth leave to weare their weapons on the holy daye, and other immunities. Besides, he entertaineth certaine men of armes, to the which he giveth seaven crowns the month. He also maintaineth seaven gallies, the which serve under his Knights, erected by his Father in *Pysa*, of the order of St. *Stephano*; of these gallies, three goe every year in chafe.

His common exercise is in distillations, and in trying of conclusions, the which he doth exercise in a house called *Cassino* in *Florence*, where he spendeth the most part of the day, giving ear in the mean season to matters of affaires, and conferring with his chief officers. His revenues are esteemed to amount to a million and a half of crownes, of the which spending half a million, he layeth up yearly one million. But certainlye he is the richest Prince in all *Europe* of coyne. The forme of his government is absolute, depending only of his will and pleasure, though retayneing in manye things the auncient offices and shew. But those magistrates resolve nothing without his expresse directions and pleasure. Privie Council he useth none, but repositeth most his trust on sound secretaries, and conferreth chiefly with his Wife, as his Father did with one of his Secretaries. For mat-

ter of examinations, one *Corbolo* hath the especial trust; he doth favour the people more than the Nobilitie, because they do bear an old grudge to the Gentlemen, and the people are the more in number, without whome the Nobilitie can doe nothing. One thing in him giveth great contentment to the subjects, that he vouchsafeth to receive and heare all their petitions himself. And in his absence from *Florence*, those that have suite do resorte to the office, and there exhibit their bill endossed; whereof within three days absolute answer is returned them, unless the matter be of great importance, then have they direction how to proceed. He is a great justicer, and for the ease of the people; and to have the better eye over justice, hath built hard by his pallace a faire rowe of houses for all offices together in one place.

Two years sithence he married *la Signora Bianca* his concubine, a *Venetian* of *Casa Capelli*, whereby he entered streighter amitie with the *Venetians*; with the Pope he had good intelligence, and some affinitie by the marriage of *Signor Giacomo*, the Pope's sonne, in *Casa Sforza*.

To the Emperor he is allyed, his first wife being the Emperor *Maximylian's* sifter.

With *Spaine* he is in streight league, and his mother was of the house of *Toledo*; his brother likewise *D. Pietro* married in the same house. With *Fraunce* he standeth at this present in some mislikeing.

With *Ferrara* alwaies at jarr, as with all the Dukes of *Italye* for the prefaceance some controversy.

All his revenues arise of taxes and customs; his domaynes are very small.

Of the STATE of EUROPE.

He hath by his first wife one sonne, of the age of four or five yeares, and four daughters; he hath a base child by this woman, and a base brother *D. Joanni*, sixteen yeares of age, of great expectation.

Two brothers, *D. Pietro*, and the Cardinal.

Ferrara.

The Duke of *Ferrara* *Alfonso D'Este* the fifth Duke, now about forty yeares of age, his first wife *Lucrecia*, daughter to *Cosmo de Medici*, whom they say he poisoned; his second, Daughter to *Ferdinand* the Emperor; his third wife now living, *Anne* daughter to the Duke of *Mantua*. He hath no child. The chief citties of his state are *Ferrara*, *Modona*, and *Reggio*: he is rich in money, groweing as the most of *Italy* of exactions; of all the Princes of *Italy* alone inclineth to the *French*, with the Pope hath some jar about the passage of a river. The *Venetians* and he fall in great hatred, with *Florence* hath enmitye, with *Lucca* little skirmishes every year for a castle, he buildeth on their confines to raise a great tole in a straight passage, by reason of his mother a *Guise*.

Mantua.

William of the house of *Gonsaga*, the third Duke of *Mantua*; his wife *Barbara* daughter to the Emperor *Ferdinand*, by whom he hath a sonne of twenty two yeres of age, and a daughter. His sonne is called *Vincentio*, his daughter *Anne* married of late to the Duke of *Ferrara*; his son likewise marryed a yere sithence to the Prince of *Parma's* daughter. The Duke his self very deformed and crook-backed, well in yeres. *Montferrat* likewise appertayneth to him; diverse of his house have pension alwaies, and serve the King of *Spaine*; his brother the Duke of *Nevers* remaineth in *Fraunce*. He

only

only seeketh to maintaine his estate and enrich himself; his greatest pleasure is in horses and building.

The Duke of *Urbino Francesco Maria*, of the house of *Urbino Roveré*, the second of that name, a Prince of good behaviour and wittie. In his state are seven reasonable faire citties, *Pesaro, Augubio, Sinigaglia, Fossombrone, Sanleo, Cagli, Urbino*; *Pesaro* and *Synigaglia* are fortresses on the sea side, *Urbino* and *Sanleo* on the *Appenine*, well fortified. He holdeth three provinces, *Montefeltro, Massa Trebaria*, and *Vicariato di Mondavio*.

There have been good Princes and valiant of that house, not so great exactors as the rest of *Italye*, therefore better beloved of their subjects, which love restored their house, being displaced by Pope *Leo* the Xth.

His wife *Leonora*, sister to the Duke of *Ferrara*, by whom he hath no children, and now is dyvorced. He hath two sisters, the one marryed to the Duke of *Gravina*, the other to the Prince *Bysignano*, and a third is to marry, whose name is *Lavinia*.

Ottaviano, first Duke of *Castro*, then of *Camerino*, and *Parma*. after of *Parma* and *Piacenza*, with great trouble restored to his estate; now is aged and lyveth quietly: his wife, *Marguerite* daughter to *Charles* the Fifth, first wife to *Alexandre de Medici* first Duke of *Florence*. He hath one sonne called *Alexandre*, now General for the King of *Spaine* in the *Lowe Countries*; his daughter *Vittoria* was mother to the Duke of *Urbino*.

The Cardinal *Farneze*, his uncle of great credit in that colledge, long time hath aspired to be Pope, but withstood by the King of *Spain*; on whome thought now that house depend, yet forgetteth not, as he think-

eth, the death of *Pier Luigi*, and the loss of *Parma* and *Piacenza*, restored to their house by the *French*.

The young Princes of *Myrandola*, in the government of their mother *Fulvia Correggio*, and under the protection of the King of *Fraunce*, who maintaineth there a garrison.

Savoie.

The Duke of *Savoie*, *Carlo Emanuel*, a young Prince of twenty one yeres, very little of stature, but well brought up and disposed. His territorye is the greatest of any Duke of *Italye*, having *Piemont* beyond the *Alpes*, and *Savoie* on this side; diverse faire townes and strong holdes, richly left of his father, who was accompanied a very wise Prince. This Duke, as is thought, is advised to remayne alwayes indifferent between *Spaine* and *Fraunce*, being neighbour to them both, unless some accident doe counsel him to declare himself in behalf of either. Therefore both those Princes go about by marriage to have him nearer allyed to them. His mother was sister to King *Frauncis* the Great, his father being expelled his dominions by the *French*, was restored by the King of *Spaine*, with whom while he lived he had straight intelligence. As yet his inclination doth not appear; he retaineth his father's alliances with *Venice*, especially in *Italye*, and with the Emperor. With *Florence* he hath question for preheminance.

His revenues are judged to a million of crowns yearly; now he is in armes against *Geneva* and guarded against *Bern*.

Lucca.

Of free estates, *Lucca* the least, is under the protection of the King of *Spaine*, small in territorie; the cittie

it

it self well fortified and provided, because of the doubt they have of the Duke of *Florence*.

Genoa is recommended to the King of *Spaine*, their *Genoa*. gallies serve under him, and the chiefest of their citie are at his devotion. Though there is a faction for the *French*, whereto he doth hearken so weakly, that the *Spaniard* is there all in all; by whom that state in few yerres hath made a marvelous gaine. And the King of *Spaine* hath great need of their friendship, for their portes, where embarke and land all men, and whatsoever is sent between *Spaine* and *Milan*.

They hold *Corfica* an Island, and *Savona* a faire cittie, and the goodliest haven in *Italye*, until it was destroyed by the *Genevoys*; the which now make noe profession but of merchandize.

There is a dangerous faction amongst them, between the auncient houses and the new, which were admitted into the auncient families.

St. George is their treasure house and receiver, as at *Venice St. Mark*.

Venice retaining still the auncient form of government, *Venice*. is alwaies for it self in like estate and all one; at this time between the *Turk* and the King of *Spaine* in continual watche, seeming to make more accompt of *Fraunce*, not so much in hope of any great affyance at this present to be hadde in him, but for the reputation of that nation, and the amitie alwaies they have had with the same, and behoving them so to doe. They use it with good foresight and speedie preventing, sparing for noe charge to meet as they may with every accident. Of late they have hadde some jarr with the Pope,

Pope, as well about the inquisition, as title of land. With *Ferrara* and the *Venetians* is auncient enmity, speciallie because he receiveth all their banished and fugitives. They make most account of the Duke of *Savoye* amongst the Princes of *Italye*. They maintaine diverse Ambassadors abroad, with the *Turke*, the Emperor, *Fraunce*, *Spaine*, and at *Rome*: with them is an Ambassador of *Fraunce* and *Savoye* alwaies resident, and an agent of *Spaine*, because they gave the preface to *Fraunce*.

In this it seemeth all the potentates of *Italye* doe agree to let all private grudges give place to foreign invasion, more for doubt of alteration in Religion, than for any other civil cause.

There is none amongst them at this day in any likelihood to growe to any greatness. For *Venice* is bridled by the *Turke* and *Spaine*. The Duke of *Tuscane* seeketh rather title than territorie, otherwaies than by purchasing.

Savoye is yet young; the rest of no great force of themselves. *Fraunce* hath greatly lost the reputation they had in *Italye* by neglecting the occasions offered, and suffering the King of *Spaine* to settle himself.

Emperor.

The Emperor *Adolphe* of the house of *Austriche*, sonne to *Maximilian*, about thirty yeres of age; no strong constitution of body, and greatly weakened by immoderate pleasure; no great quickness of spirite. In fashion and apparel all *Spanish*, where he had his education in his youth. He was most governed by his mother while she remained with him, and yet altogether by his steward *Dyetrishan*, and his great Chamberlaine *Romphe*,

Romphe, both penfyonaryes of *Spaine*, and there with him maintained.

Of the empire, he hath by the laft imperial Dyet one million of dollars towards the maintenance of the garriſons of *Hungary*; and beſides, his guards are paid of the Empire.

To the *Turke* he paieth yearly tribute for *Hungary* 40000 dollars, beſides the charge of the preſents and his Ambaſſadors, amounting to more than the tribute; in all 100,000 dollars.

The ordinary garriſons in *Hungary* are to the number of ~~fourty~~ but evil paid at this time.

The revenues and ſubſidies of *Hungary* doe not paſſ 100,000 Florins. The laſt Emperor affirmed ſolemnly, that the charge of *Hungary* amounted to one million and a half.

The revenues of *Bohemia*, ordinary and extraordinary, amount to 50000 dollars.

In the abſence of the Emperor, the Baron of *Rofemberge* is governor of *Bobemia*, who poſſeſſeth almoſt a fourth part of that countrie, and is a papiſt; neither he nor his brother have children, he beareth the Emperor in hand to make him his heire.

Of *Syleſia* and *Moravia*, the Emperor yerely may have 200,000 Florins.

Out of *Auſtriche* of ſubſidie and tribute 100,000 Florins, for his domaynes are all ſold away and engaged.

Thus all his revenues make half a million of Florins.

To his brothers *Maximilian* and *Erneſt*, he alloweth yerely by agreement made between them 45000 Florins a piece, as well for *Auſtriche*, as that might hereafter fall

fall unto them by the decease of the Archduke *Ferdinand* in *Tyroll*, the which shall come to the Emperor.

The Emperor altogether dependeth on *Spaine*, as well in respect of his house, as the education he received there, and the rule his mother hath over him with the chief of his Council. He is utter enemy to Religion, having well declared the same in banishing the Ministers out of *Vienna*, and divers other townes, where he goeth about to plant Jesuites.

Of his subjects greatlie misliked, as his house is hateful to all *Germany*.

The Archduke *Charles* holdeth *Styria* and *Carynthia*, his chief abode is at *Gratz*; his wife is sister to the Duke of *Bavyre*, by whom he hath children.

The Archduke *Ferdinand* hath *Tyroll*, and remaineth the most part at *Ilzburg*. For his eldest sonne he hath bought in *Germany* a pretty state, not far from *Ulms*; the second is a Cardinal. Now he is a widower, and said, that he shall marry a daughter of the Duke of *Mantua*.

These are uncles to the Emperor; besides *Maxymilian* and *Ernest*, he hath two brothers, the Archduke *Mathias* that hath a pension of the estates of the *Lowe Country*, and a Cardinal Archbishop of *Toledo*.

Germany.

In *Germany* there are divers Princes diversly affected. The Elector Palatine *Ludovic* a *Lutheran*; his chief abode is at *Hedelberge*.

His brother *John Casimir*, Calvinist at *Keisers-lautern*, or *Nieustadt*.

Richard their uncle at *Symmeren*.

During the life of the last Elector, *Ludovic* dwelt at *Amberge* in the higher Palatinate.

Philip

Philip Ludovic dwelt at *Norbourge* on the *Danow*, and is commonly called Duke of

John dwelleth at *Rypont*, or *Sweybourgh*, or in *Ber-gefaber*; the other three brethren have noe certain dwelling place. *George John*, sonne of *Rupert*, Count *Palatin* dwelleth at *Lyffelsteyn*.

Augustus Duke and Elector of *Saxen*, remaineth the most part at *Dresden* on the *Elbe*; sometimes at *Torge* on *Elbe*, a goodly castle fortified by *John Frederick*. This Elector is *Lutheran*, and great enemy to our profession; of sixty yeres of age, half frantick, severe, governed much by his wife, greater exactor than the *Germane* Princes are wont to be, and retaineth in his service divers *Italians*; his eldest sonne married of late the daughter of the Duke of *Brandeburg*.

The sonnes of *John Frederick* captive, and yet in prison, remayn at *Coburge* in *East Franconia*, near the forest of *Turinge*.

The sonnes of *John William* abide at *Vinaria* in *Turingia*.

Joachim Frederick, sonne of *John George* Elector of *Brandebourge* at *Hala* in *Saxonye* on the river of *Sala*, as administrator of the Archbishopricke of *Magdebourge*.

George Frederick, sonne of *George*, dwelleth at *Orsbuche* in *East Franconia*, or at *Blassenbourge*, the which was the mansion of his uncle *Albert* the warrior.

The Elector of *Brandebourge* *John George* remaineth at *Berline* on the river of *Sprea*, his uncle *John* dwelleth at *Casstryne* beyond *Odera*, very strong both by the situation, and fortified.

William Duke of Bavyre, a Papist, at *Munich* in *Bavary*, married the daughter of the Duke of *Lorrayn*.

His second brother *Ferdinand* remaineth most at *Landshutt*.

The third *Ernest*, is Bishop of *Frisinghen* and *Hildesheim*, and late of *Lyege*.

Julius Duke of Brunswick, at the strong castle of *Wolfenbuttel* on *Oker*.

Erich of *Brunswick*, sonne to *Magnus*, uncle to *Julius*, remaineth at *Münda*, or where the rivers of *Werra* and *Fulda* doe joine; making the river of *Visurgis* navigable.

William Duke of Luneburge hath his being at *Cella*, on the river *Allera*.

Henry his brother at *Gifhorn*, where before, their uncle *Francis* was wont to dwell.

Otho their cosin Duke of *Luneburge* inhabiteth *Harburge* on this side the *Elbe*, over right against *Hamburgh*.

The Dukes of *Pomerania*, *John Frederick* dwelleth at *Stetin*.

Bugslaus at *Campena*, sometime an Abbey in the countie of *Barduse*.

Ernest Ludovic at *Wolgast* on the river of *Panis* that runneth into the *Baltick* Sea.

Barmin at *Rugenwald* in further *Pomerania*, on the borders of *Poland* and *Prussia*.

Casymire at *Camyn*, which Bishopricke he holdeth, either as administrator, or in his owne possession and right.

Ulriche Duke of *Meckelbourg*, remaineth most at *Gustrow*; his brother *John Albert* dwelleth at *Swerin*, whose two sonnes are in the court of the Duke of *Saxon*.

Adolphe Duke of *Holst* and *Dytmarch*; his chief seat is at *Gottorp* in the Dutchy of *Sleswick*.

John his elder brother unmarried, hath his abode at *Haderslebe*; *John*, sonne to *Christyern* King of *Dennemark*, and brother to the Duke of *Holst*, and to *Frederick* now King of *Dennemarke*, Bishop of *Oeselya* and Countland in *Lyvon*ia.

William Duke of *Juliers Cleve*, and *Bergen*, hath his Court at *Dusseldorp* in the Dukedom of *Bergense*.

William Landgrave of *Hesse*, dwelleth at *Cassel* on *Fulda*.

Ludovicke at *Marpurge*.

Phillip at *Brubache* on the *Rhine*.

George at *Dannstadt*.

Ludowick Duke of *Wyrtenberge*, his chief house at *Stutgard*.

Frederick at *Montbelgard*.

The Marquises of *Barbe*: the elder *Ernest*, the second *Jacob*, the third brother yet yonger; their chief dwelling place is at *Forcheim*, or at *Durlach*.

The sonnes of *Philip* at the Bath called *Baden*.

Ernest Joachim Prince of *Anhalt* at *Zerbest*, in the midway between *Magdebourg* and *Wintemberge*; his other mansion is at *Dessau* on *Elbe*, where he was born, new built and fortified by his grandfather *Ernest*, he hath besides the castle of *Carbenen*, the which was the

habitation of *Wolfgang* Prince of *Anhalt* his great uncle; *Ernest* favoureth religion.

George Ernest Prince and Earl of *Henneberge* at *Schlewsing*, by the forest called *Turing*.

George Duke of *Silesia* and *Briege*, of the family of the Kings of *Poland*, dwelleth at *Briege*; his eldest son, *Joachim Frederick*, hath married the daughter of the Prince of *Anhalt*, his second sonne, *John George*.

Henry Duke of *Silesia* and *Lygnitz*, sonne to the brother of *George*, dwelleth at *Lygnitz*; he hath no children alive.

Fredericke, brother to *Henry* unmarried.

Charles Duke of *Munsterberge* and *Olffe*, his wife the Countess of *Sternberge* in *Bohemia*, where he maketh his abode.

Henry, brother to *Charles*, remayneth at *Olffe*.

John Frederick Duke of *Teschén*.

Charles Duke of *Lorrayn*, his chief court at *Nancy*.

His eldest sonne *Henry* of man's estate.

Charles Cardinal Archbishop of *Mets*.

A daughter in the *French* Court.

Besides, there are in *Germany* three Electors Bishops, and divers Bishops of great livings.

The free townes of greatest importance are *Noremburge*, *Auspurge*, *Ulmes*, and *Strasburge*: Then the Cantons of the *Swisses*, the *Grysons* and *Valois*.

The greatest trouble in *Germany* at this time is about the Concordate, furthered by the Duke of *Saxon*, and the Count *Palatin*.

There is at this present no Prince in *Germany* greatly toward or redoubted.

The Duke *Casamyre*'s credit is greatly empayred, and his ability small.

The Dyet imperial shortly should be held, where the concordate shall be urged, collection for *Hungary* made, and a King of *Romans* named.

The *French* King, *Henry* the Third, of thirty yeares *Fraunce* of age, of a very weak constitution, and full of infirmities; yet extreamly given over to his wanton pleasures, having only delight in danceing, feasting and entertaining Ladyes and chamber pleasures: No great wit, yet a comely behaviour and goodly personage, very poor through exacting inordinately by all devices of his subjects, greatly repining that revenge and hungary government, abhorring warres and all action, yet daily worketh the ruine of those he hateth, as all of the religion and the house of *Bourbon*, doting fondly on some he chooseth to favour extremely, without any virtue or cause of desert in them to whom he giveth prodigally. His chief favourites now about him are the Duke *Joyeuse*, *la Valette*, and Monsieur *D'Au*. The Queen mother ruleth him rather by pollicie and fear he hath of her, then by his good will; yet he alwayes doth shew great reverence towards her. The *Guise* is in as great favour with him as ever he was; the house is now the greatest of all *Fraunce*, being allyed to *Ferrara*, *Savoye*, *Lorrayn*, *Scotland*, and favoured of all the Papists: The *French* King having his kinswoman to wife, and diverse great personages in that realme of his house.

The chiefeest at this present in credit in Court whose counsel he useth are, *Villeroye*, *Villaquier*, *Bellievre*, the Chancellor and Lord Keeper, *Birague* and *Chiverny*.

He

He greatly entertaineth no amitye with any Prince, other than for forme; neither is his friendship otherwise respected of others, save in respect of the reputation of so great a Kingdome.

The Pope beareth a great sway, and the King of *Spaine*, by means of his pensions; and of the Queen mother with the *Guise*; she for her two daughters, he for other regard, can doe what he list there, or hinder what he would not have done.

The division in his country for matters of religion and state, through discontentment of the Nobilitie to see strangers advanced to the greatest charges of the realme, the offices of justice sold, the treasury wasted, the people poled, the country destroyed, hath bred great trouble, and like to see more. The faction between the house of *Guise* against that of *Montmorancy*, hath gotten great advantage.

At this present the King is about to restore *Don Antonio* King of *Portugal*, whereto are great levys and preparation.

Duke of Brabant.

Francis Duke of *Anjou* and of *Brabant*, for his calling and qualitie greatly to be considered as any Prince this day living, being second person to the King his brother, and in likelyhood to succeed him. There is noted in the disposition of this Prince, a quiet mildness, giving satisfaction to all men; facility of access and natural courtesie; understanding and speech great and eloquent; secrefye more than commonly is in the *French*; from his youth alwaies desirous of action, the which thing hath made him alwaies followed and respected. And though hitherto he hath brought to pass no great purpose,

purpose, having suffered great wantes, and resistance both at home and abroad, yet by the intermedling is grown to good experience, readines and judgment, the better thereby able to guide and govern his affaires, both in practyse, in treaty, and action. Moreover, the diseased estate of the world doth so concur with this his active forwardness, as it giveth him matter to work upon: and he is the only man to be seene of all them in distress, or desirous of alteration. A matter of special furtherance to all such as have atchieved great things, when they have found matter disposed to receive forme.

And there is to be found no other Prince in this part of the world so towards and forward as the Duke, towards whom they in distresse may turn their eyes. Wee do plainly see in the most countries of *Christendome* so unsound and shaken an estate, as desireth the help of some great person, to set together and join againe the pieces asunder and out of joint. Wherefore the presumption is great, that if this Prince continue this his course, he is likely to become a mighty potentate: for one enterpryse failing, other will be offered, and still men evil at ease, and desirous of a head and Captaine, will run to him that is fittest to receive them. Besides, the *French* desirous to shake off the civil warres, must needs attempt somewhat abroad. This Duke first had intelligence with the Count *Ludovic* in King *Charles's* days, and an enterpryse to escape from the Court, and in this King's time joined with them of the religion and malcontents: after was carried against them seeketh the marriage with her Majesty so mighty a Princess,

Princes, as it were to marry might with his activity.

He hath had practyse in *Germany* to be created King of *Romans*, made a foddain voyage with great expedition into the *Lowe Countries*, now is there againe with better succeſſe then ſo ſoon was looked for.

Spaine.

The King of *Spaine*, *Philip* ſonne to *Charles* the Fiſt, about ſixty yeres of age; a Prince of great underſtanding, ſubtle and aspiring, diligent and cruel. This King eſpecially hath made his benefit of the time, where his laſt attempt on *Portugal* deſerveth exact conſideration, thereby as by the workmanſhip to know the maſter.

The firſt ſucceſſe he had was at St. *Quintin*, where he got a notable hand of the *French*; he fought to reduce the *Lowe Countries* to an abſolute ſubjection.

He hath kept *Fraunce* in continual broile, where, by his penſions and the favour of the houſe of *Guiſe*, by meanes of the Queen mother in contemplation of her nieces, he beareth great ſway. With the Pope he is ſo linked, as he may do what him liſt, and diſpoſe of that authoritie to ſerve his purpoſes. As he has gotten great authoritie in pretending to protect the Church and Religion.

He poſſeſſeth the one half of *Italye*, comprehending *Sicily* and *Sardinia*, with *Naples* and *Milan*; the which eſtates do yield him little other profit, ſave the maintenance of ſo many *Spaniards* as he keepeth there alwayes.

The Duke of *Florence* relyeth greatly upon him, as well in reſpect of the ſtate of *Syena*, as of the portes he holdeth, and of his greatneſs. *Lucca* is under his protection. *Genoa*, the one faction at his devotion, with
their

their gallies: at his pension is most of the greatest there.

Besides the *Lowe Countries*, he holdeth the *Franche Comtè*, the best used of all his subjects, and *Luxembourg*: the *West-Indies* furnish him gold and silver, the which he consumeth in the warres of the *Lowe Countries*, and in pensions, and is greatly indebted, while he worketh on the foundation his father laid, to erect a monarchie, the which if he succeed in the conquest of *Portugal*, he is lykely to atchieve, unless death doe cut him off.

He hath one sonne of the yeres of five by his last wife, two daughters by the *French King's* sister, two base sonnes.

He hath greatly fought the marriage of the *Queen's* daughter of *Fraunce*, sister to his last wife, and cosen *Germain* removed.

His revenues are reckoned to amount to sixteen mil-
lions.

*The Turks re-
venues are
thought to be
equal with his.*

The chief in credit with him of martial men and for
Council are,

He maketh account to have in continual pay 50000
soildiers.

He maintaineth gallies to the number of 140, where-
of there are 60 in *Portugal*, the rest are at *Naples*,
and other places. Now is on league with the *Turk*.

D. Antonio, elect King of *Portugal*, thrust out by the *Portugal*.
King of *Spaine*, of forty five yeres of age, a mild spirit,
sober and discreet: he is now in *Fraunce*, where he hath
levyed soildiers, whereof part are embarked, hoping by
the favour of that King, and the good will the *Portu-*

gals do bear him, to be restored againe. He holdeth the *Torges*, and the *East-Indians* yet remain well affected to him, a case of it self deserving the considering and relief of all other Princes. Besides in his person, his election to be noted with the tytle he claimeth very singular, and seldom the like seene, being chosen of all the people; the great daungers he hath escaped likewise at sundry times.

Poland.

The King of *Poland*, *Stephen Batoaye*, a Baron of *Hungary*, by the favour of the *Turke* chosen King of the *Pollacks*, after the escape made by the *French* King; a Prince of the greatest value and courage of any at this day, of competent yeres, sufficient wisdom, the which he hath shewed in the siege of *Danske*, and the warres with the *Muscovite*.

The *Hungarians* could be content to exchange the Emperor for him. The *Bobemians* likewise wish him in the stead of the other. He were like to attain to the Empire, were there not that mortal enmity between those two nations as could not agree in one subjection.

Streight upon his election he married the *Infant* of *Poland*, somewhat in yeres and crooked, only to content the *Pollacks*, but never companied with her. He doth tolerate there all religions, himselfe heareth the masse, but is not thought to be a Papist: he had a great part of his education in *Turky*, after served the last Emperour.

Denmark.

Fredericke the second, of forty eight yeres, King of *Denmark* and *Norway*; his Wife *Sophia*, daughter to *Ulriche* Duke of *Mechelebourge*, by whome he hath six children,

children, four daughters and two sonnes, *Christianus* and *Ulricus*, the eldest of five yeres of age.

The chiefeft about him, *Nicholas Cose* his Chancellor, in whose Counfel he doth much repose.

He hath alwaies 800 horfe about his Court, to whom he giveth ten dollars the month.

His Father deceased in the year 1559, after which he had warres ten years space with the *Swede*, which gave him occasion to arme by Sea. His navy is fix great ships of 1500 tunn, and fifteen smaller, ten gallies which faile to passe the *Streights*.

His revenues grow chiefly in customes, and such living as were in the hands of the abbeys, and Bishops, whereby he is greatly enriched: his chiefe haven is *Copenhagen*, where alwaies his navy lyeth.

His brother *John* Duke of *Holst* in *Jutland*, married to the daughter of the Duke of inferior *Saxonie*.

Magnus his other Brother Bishop of *Courland*, married the Daughter of the *Muscovite's* brother.

The chiefeft warres that the King of *Denmark* hath is with *Sweden*, with whom now he hath peace. The Duke of *Holst* is uncle to the King now reigning; they make often alliances with *Scotland*.

John King of *Sweden*, sonne of *Gustavus*.

Sweden.

This *Gustavus* had four sonnes, *Erick*, *John*, *Magnus*, *Charles*.

Erick married a fouldyer's daughter, by whome he had divers children, and dyed in prison.

John, now King, married the sister of *Sygismond* late King of *Poland*.

Magnus bestraught of his witts.

Charles married a Daughter of the *Palgrave*.

Five daughters of *Gustavus*.

Katherine married to the Earl of *East-Fryſeland*.

Anne to one of the *Palſgraves*.

Cicylia to the Marquis of *Baden*.

Sophia to the Duke of inferior *Saxonie*.

Elizabeth to the Duke of *Mecleburg*.

This Prince is of no great force nor wealth, but of late hath encreased his navigation by reason of the warres between him and the *Dane*, the which, the warres ceaſing, they hardly maintaine.

Muscovy.

The *Muscovite* Emperor of *Ruſſia*, *John Baſill*, of threescore yeres of age, in league and amitie with no Prince; alwayes at warres with the *Tartarians*, and now with the *Pollake*.

He is adviſed by noe Council, but governeth altogether like a tyrant. He hath one ſonne of thirty yeres of age. Not long ſithence this Prince depoſed himſelf, and ſet in his place a *Tartare*, whom he removed againe. Of late ſent an Ambaſſador to *Rome*, giving ſome hope to ſubmit himſelf to that ſee. Their religion is neareſt the *Greek Church*, full of ſuperſtition and idolatrie.

Written about the Year 1580.

STATE Pieces in the Reign of King J A M E S.

*A PROCLAMATION drawne for his Majesty's
first coming in, prepared, but not used.*

HAVING great cause at this time to be moved with diversitie of affections, wee doe in first place condole with all our loving subjects of *England*, for the losse of their so vertuous and excellent Queen: being a Prince that we alwaies found a dear sister, yea a mother to our self in many her actions and advises. A Prince whom we hold and behold as an excellent pattern and example to imitate in many her royal vertues and parts of government, and a Prince whose daies wee could have wished to have been prolonged; wee reporting our selves not only to the testimony of our royal heart, but to the judgment of all the world, whether there ever appeared in us any ambitious or impatient desire to prevent God's appointed time. Neither are we so partial to our own honour, but that wee do in great part ascribe this our most peaceable and quiet entrance and coming to those our crownes, next under the blessing of almighty God, and our undoubted right to the fruite of her Majesty's peaceable and quiet government, accustoming the people to all loyalty and obedience. As for that which concerneth our selves, we would have all

our loving subjects know, that we do not take so much gladness and contentment in the devolving of these kingdoms unto our royal person, for anie addition or encrease of glory, power or riches, as in this, that it is so manifest an evidence unto us (especially the manner of it considered) that wee stand (though unworthy) in God's favour, who hath put more meanes into our hands to reward our friends and servants, and to pardon and obliterate injuries, and to comfort and relieve the hearts and estates of our people and loving subjects, and chiefly to advance the holy religion and church of almighty God, and to deserve well of the Christian Commonwealth. And more especially we cannot but gratulate and rejoyce in this one point, that it hath pleased God to make us the instrument, and, as it were, the corner stone, to unite these two mighty and warlike nations of *England* and *Scotland* into one kingdom. For although these two nations are scituate upon the continent of one island, and are undivided either by seas or mountains, or by diversitie of language; and although our neighbour kingdomes of *Spaine* and *Fraunce* have already had the happiness to be reunited in the several members of those kingdoms formerly disjoined; yet in this island it appeareth not in the records of any true history, no nor scarcely in the concept of any fabulous narration or tradition, that this whole island of *Great Brittain* was ever united under one sovereign Prince before this day. Which as we cannot but take as a singular honour and favour of God unto our selves: so wee may conceive good hope that the kingdoms of *Christendom* standing distributed and counterpoised, as by this last union

union they now are ; it will be a foundation of the universal peace of all christian Princes, and that now the strife that shall remaine between them, shall be but an emulation who shall governe best, and most to the weal and good of his people.

Another great cause of our just rejoicing is, the assured hope that wee conceive, that whereas our kingdome of *Ireland* hath been so long tyme torne and afflicted with the miseries of warres, the making and prosecuting of which warres hath cost such an infinite deale of blood and treasure of our realme of *England*, to be spilt and consumed thereupon, wee shall be able, through God's favour and assistance, to put a speedy and an honourable end to those warres. And it is our princely designe and full purpose and resolution, not only to reduce that nation from their rebellion and revolt, but also to reclayme them from their barbarous manners; to justice and the fear of God; and to populate, plant, and make civil all the provinces in that kingdom, which also being an action that not any of our noble progenitors, Kings of *England*, hath ever had the happiness thoroughly to prosecute and accomplish, we take so much to heart as we are perswaded it is one of the chief causes for the which God hath brought us to the Imperial crowne of these kingdoms.

Further, we cannot but take great comfort in the state and correspondence which we now stand in of peace and unity with all christian Princes, and otherwise, of quietness and obedience of our own people at home: whereby wee shall not need to expose that our kingdom of *England* to any quarrel or warre, but rather

ther have occasion to preserve them in peace and tranquillity, and openness of trade with all foreign nations.

Lastly and principally, wee cannot but take unspeakable comfort in the great and wonderful consent and unity, joie and alacrity, wherewith our loving subjects of our kingdom of *England* have received and acknowledged us their natural and lawful King and Governor, according to our most cleare and undoubted right, in so quiet and settled manner, as if we had been long agoe declared and established successor, and had taken all mens oathes and homages; greater and more perfect unity and readines could not have been: for considering with our selves, that notwithstanding difference of religion, or any other faction, and notwithstanding our absence so far off, and notwithstanding the sparing and reserved communicating of one another's minds: yet all our loving subjects met in one thought and voice, without any the least disturbance or interruption, yea, hesitation or doubtfulness, or any shew thereof; we cannot but acknowledge it is a great work of God, who hath an immediate and extraordinary direction in the disposing of kingdoms and flows of peoples hearts.

Wherefore after our most humble and devout thanks to almighty God, by whom Kings reigne, who hath established us King and governor of these kingdoms; wee return our hearty and affectionate thanks unto the Lords spiritual and temporal, the Knights and Gentlemen, the Citties and Towns, and generally unto our Commons, and all estates and degrees of that our kingdom of *England*, for their so acceptable first fruits of their obedience

ence and loyalties offered and performed in our absence; much commending the great wisdom, courage, and watchfulness used by the Peers of that our kingdom (according to the nobility of their bloods and lineages, many of them mingled with the blood royal: and therefore in nature affectionate to their rightful King.) And likewise of the Councillors of the late Queen according to their gravity and oath, and the spirit of their good mistresse (now a glorious Saint in Heaven) in carrying and ordering our affairs with that fidelity, moderation, and consent, which in them hath well appeared: and also the great rediness, concord and cheerfulness in the principal Knights and Gentlemen of several countries, with the head officers of great citties, corporations and towns: and do take knowledge by name of the rediness and good zeale of that our chiefeft and most famous citty, the citty of *London*; the chamber of that our kingdom: assuring them, that we will be unto that citty by all meanes of confirming and encreasing their happy and welthy estate, not only a just and gracious soveraign Lord and King, but a special and bountiful patron and benefactor.

And we on our part, as well in remuneration of all their loyal and loving affections, as in discharge of our princely office, do promise and assure them, that as all manner of estates have concurred and consented in their duty and zeale towards us, so it shall be our continual care and resolution to preserve and maintain every several estate in a happy and flourishing condition, without confusion or overgrowing of any one to the prejudice, discontentment, or discouragement of the rest;

and generally in all estates wee hope God will strengthen and assist us, not only to extirpate all grosse and notorious abuses, and corruptions of simonys, briberies, extortions, exactions, oppreffions, vexations, burdensome payments, and overcharges, and the like: but further to extend our princely care to the supply of the very neglects and omissions of any thing that may tend to the good of our people: So that every place and service that is fit for the honour or good of the Commonwealth shall be filled, and no man's vertue left idle, unemployed, or unrewarded; and every good ordinance and constitution, for the amendment of the estate and tymes, be revived and put in execution.

In the mean tyme minding by God's Leave (all delay set apart) to comfort and secure our loving subjects in our Kingdom of *England* by our personal presence there, we require all our loving subjects joyfully to expect the same: And yet so, as we signifie our will and pleasure to be, that all such ceremonies and preparations as shall be made and used to do us honour, or to express gratulation, be rather comely and orderly, then sumptuous and glorious; and for the expressing of Magnificence, that it be rather imployed and bestowed upon the funeral of the late *Queene*, to whose memory we are of opinion too much honour cannot be done or performed.

A draught of a PROCLAMATION touching his Majesty's style 2^{do} JACOBI.

AS it is a manyfest token, or rather a substantial effect of the wrath and indignation of God, when Kingdomes are rent and divided, which have formerly been entire and united under one Monarch and Governour; so on the contrary parte, when it shall please the Almighty (by whom Kings reign as his Deputies and Lieutenants) to enlarge his commissions of empire and soveraignty, and to commit those nations to one King to governe, which he had formerly committed to several Kings, it is an evident argument of his great favour both upon King and upon people; upon the King, in as much as he may with comfort conceive that he is one of those servants to whom it was said, *Thou hast been faithful in the less, I will make thee Lord of more;* upon the people, because the greatness of kingdoms and dominions, especially not being scattered but adjacent and compact, doth ever bring with it greater security from outward enemyes, and greater freedom from inward burdens, unto both which people under petty and weake estates are more exposed: which so happy fruit of the union of kingdoms is chiefly to be understood, when such conjunction or augmentation is not wrought by conquest and violence, or by pacte and submission, but by the law of nature and hereditary descent; for in conquest it is commonly seen, although

the bulke and quantity of territory be encreased, yet the strength of kingdoms is diminished, as well by the wasting of the forces of both parts in the conflict, as by the evil coherence of the nation conquering and conquered, the one being apt to be insolent, and the other discontent; and so both full of jealousies and discord. And where countrys are annexed onely by act of estates and submissions, such submissions are commonly grounded upon fear, which is no good author of continuance, besides the quarrels and revolts which do ensue upon conditional and articulate subjections: But when the lynes of two kingdoms do meet in the person of one Monarch, as in a true point or perfect angle; and that from marriage (which is the first conjunction in humane society) there shall proceed one inheritor in blood to several kingdoms, whereby they are actually united and incorporate under one head; it is the worke of God and nature, whereunto the works of force and policy cannot attaine; and it is that which hath not in it selfe any manner of seeds of discord or disunion, other then such as envy and malignity shall sowe, and which groundeth an union, not onely indissoluble, but also most comfortable and happy amongst the people. Wee therefore in all humbleness acknowledge, that it is the great and blessed worke of Almighty God, that these two antient and mighty realms of *England* and *Scotland*, which by nature have no true but an imaginary separation, being both situate and comprehended in one most famous and renowned island of *Great Brittain*, compassed by the ocean without any mountains, seas, or other boundaries of nature, to make any partition,

wall

wall or trench between them, and being also exempted from the first curse of disunion, which was the confusion of tongues, and being people of a like constitution of mind and body, especially in warlike prowess and disposition: and yet nevertheless have in so many ages been disjoyned under several Kings and governors, are now at the last by right inherent in the comixture of our blood, united in our person and generation, wherein it hath pleased God to anoint us with the oyle of gladness and gratulation above our progenitors, Kings of either nation. Neither can we sufficiently contemplate and behold the passages, degrees and insinuations, whereby it hath pleased the eternal God (to whom all his workes are from the beginning knowne and presente) to open and prepare a way to this excellent worke; having first ordained that both Nations should be knytte in one true and reformed religion, which is the perfectest band of all unity and union; and secondly, that there should preceed so long a peace continued between the nations for so many years last passed, whereby all seeds and sparks of ancient discord have been laid asleep, and grown to an obliteration and oblivion; and lastly, that our selves in the true measure of our affections, should have so just cause to imbrace both nations with equal and indifferent love and inclination, inasmuch as our birth and the passing of the first part of our age hath been in the one nation, and our principal seat and mansion, and the passing of the latter part of our days is like to be in the other. Which our equal and upright holding of the ballance between both nations, being the highest point of all others in our distributive justice, we

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give

give the world to know, that we are constantly resolved to preserve inviolate against all emulations and partialities, not making any difference at all between the subjects of either nation, in affection, honours, favours, gifts, employments, confidences, or the like; but only such as the true distinctions of the persons, being capable or not capable, fit or not fit, acquainted with affaires or not acquainted with affaires, needing our princely bounty or not needing the same, approved to us by our experience or not approved, meriting or not meriting, and the severall degrees of these and the like conditions shall in right reason tye us unto, without any manner of regard to the country in it selfe, to the end that they may well perceive, that in our mind and apprehension they are all one and the same nation; and that our heart is truly placed in the center of government, from whence all lynes to the circumference are equal and of one space and distance. But for the further advancing and perfecting of this worke, we have taken into our princely care and cogitations, what it is that may appertain to our owne imperial power, right, and authority; and what requireth votes and assents of our parliaments or estates; and again, what may presently be done, and what must be left to further time, that our proceeding may be void of all inconvenience and informality; wherein by the example of almighty God, who is accustomed to begin all his great works and designments by alterations or impositions of names, as the fittest meanes to imprint in the hearts of people a character and expectation of that which is to follow. We have thought good to withdraw and discontinue the
divided

divided names of *England* and *Scotland* out of our regal stile and title, and to use in place of them the common and contracted name of *Great Britany*; not upon any vaine glory, whereof we perswade our selves our actions doe sufficiently free us in the judgment of all the world: And if any such humor should reign in us, it were better satisfied by length of stile, and enumeration of kingdoms; but only as a fit signification of that which is already done, and a significant prefiguration of that which we further intend; for as in giving names to natural persons, it is used to impose them in infancy, and not to stay till fulness of growth; so it seemed to us not unseasonable to bring in further use this name at the first, and to proceed with the more substantial points of the union after, as fast and as far as the common good of both the realms should permit, especially considering the name of *Britany* was no coyned or new devised or affected name at pleasure, but the true and ancient name which God and time hath imposed, extant and received in histories, in cards, and in ordinary speech and writing, where the whole island is meant to be denominate, so as it is not accompanied with so much as any strangeness in common speech. And although we never doubted, neither ever heard that any other presumed to doubt, but that the forme and tenor of our regal stile and title, and the delineation of the same, did only and wholly of meer right appertaine to our supream and absolute prerogative to expresse the same, in such words or sort, as seemed good to our royal pleasure: Yet because we were to have the advice and assent of our parliament concerning other points of the union,

union, we were pleased our said Parliament should, amongst the rest, take also the same into their consideration. But finding by the grave opinion of our Judges, who are the interpreters of our laws, that in case that alteration of stile which seemed to us but verbal, should be established and enacted by Parliament, it might involve by implication and consequence, not onely a more present alteration, but also a further innovation then we any wayes intended: or at least might be subject to some colourable scruple of such a perilous construction, we rested well satisfied to respite the same, as to require it by act of parliament. But being still resolved and fixed that it may conduce towards this happy end of the better uniting of the nations, we have thought good by the advice of our Council to take the same upon us by our proclamation, being a course safe and free from any of the perils or scruples aforesaid. And therefore we do by these presents, publish, proclaim, and assume to our selves from henceforth, according to our undoubted right, the stile and title of King of *Great Britany, France, and Ireland*, and otherwise as followeth in our stile formerly used. And we doe hereby straightly charge and command our Chancellour, and all such as have the custody of any of our seals; and all other our officers and subjects whatsoever, to whom it may in any wise appertain, that from henceforth in all commissions, patents, writs, processes, grants, records, instruments, impressions, sermons, and all other writings and speeches whatsoever, wherein our stile is used to be set forth or recited, that our said stile, as is before by these presents declared and prescribed, be onely used, and no other. And because

we do but now declare, that which in truth was before our will and pleasure, is, that in the computation of our reign, as to all writings or instruments hereafter to be made, the same computation be taken and made, as if we had taken upon us the stile aforesaid immediately after the decease of our late dear sister. And we do notifie to all our subjects, that if any person, of what degree or condition soever he be, shall impugne our said stile, or derogate and detract from the same by any arguments, speeches words or otherwise; we shall proceed against him, as against an offender against our crowne and dignity, and a disturber of the quiet and peace of our Kingdom, according to the utmost severity of our laws in that behalfe. Nevertheless our meaning is not that where in any writ, pleading, or other record, writing, instrument or speech, it hath been used for mention to be made of *England*, or the realm of *England*, or any other word or words derived from the same; and not of our whole and entire stile and title, that therein any alteration at all be used by pretext of this our proclamation, which we intend to take place onely where our whole stile shall be recited, and not otherwise; and in the other cases the ancient forme to be used and observed.

The most humble Certificate or Returne of the Commissioners of England and Scotland, authorised to treat of an Union for the Weale of both Realmes, 2 Jac. I.

WEE the Commissioners for *England* and *Scotland* respectively named and appointed, in all humbleness doe signifye to his most excellent Majestie, and to the most honourable high Courts of Parliament of both realmes, that we have assembled our selves, consulted and treated according to the nature and limits of our commission; and for as much as we doe find that hardly within the memory of all times, or within the compass of the universal world, there can be shewed forth a fit example or president of the worke we have in hand concurring in all points material, we thought our selves so much the more bound to resort to the infallible and original grounds of nature and common reason, and freeing our selves from the leading or misleading of examples, to insist and fix our considerations upon the individual business in hand, without wandring or discourses. It seemed therefore unto us a matter demonstrative by the light of reason, that we were in first place to begin with the remotion and abolition of all manner hostile, envious, or maligne laws on either side, being in themselves mere temporary, and now by time become directly contrary to our present most happy estate; which laws, as they are already dead in force and vigor, so we thought fit

fit now to wish them buried in oblivion; that by the utter extinguishment of the memory of discords past, we may avoid all seeds of relapse into discords to come: Secondly, as matter of nature not unlike the former, we entered into consideration of such limitanye constitutions as served but for to obtaine a forme of justice between subjects under severall Monarchs, and did in the very grounds and motives of them presuppose incursions, and intermixture of hostilitye: All which occasions, as they are in themselves now vanished and done away, so we with the abolition and cessation thereof to be declared. Thirdly, for so much as the principal degree to union is communion and participation of mutual commodities and benefits, it appeared to us to follow next in order, that the commerce between both nations be set open and free, soe as the commodities and provisions of either may pass and flow to and fro, without any stops or obstructions into the veines of the whole body, for the better sustentation and comfort of all the parts: with caution nevertheless, that the vital nourishment be not so drawne into one part, as it may endanger a consumption and withering of the other. Fourthly, after the communion and participation by commerce, which can extend but to the transmission of such commodityes as are moveable, personal and transitory, there succeeded naturally that other degree, that there be made a mutual endowment and donation of either realm towards other of the abilityes and capacities to take and enjoy things which are permanent, real and fixed; as namely, freehold and inheritance, and the like: And that as well the internal and vital veines of blood be opened from

interruption and obstruction in making pedigree, and claiming by discent, as the external and elemental veines of passage and commerce, with reservation nevertheless unto the due time of such abilityes and capacities onely, as no power on earth can confer without time and education. And lastly, because the perfection of this blessed worke consisteth in the union, not only of the solid parts of the estate, but also in the spirit and sinews of the same, which are the laws and government which nevertheless are already perfectly united in the head, but require a further time to be united in the bulk and frame of the whole body; in contemplation hereof we did conceive that the first step thereunto was to provide, that the justice of either realm should aide and assist, and not frustrate and interrupt the justice of the other, specially in sundry cases criminal; so that either realme may not be abused by malefactors as a sanctuary or place of refuge, to avoid the condigne punishment of their crimes and offences. All which severall points, as we account them, summed up and put together, but as a degree or middle terme to the perfection of this blessed worke; so yet we conceived them to make a just and fit periode for our present consultation and proceeding. And for so much as concerneth the manner of our proceedings, we may truly make this attestation unto our selves, that as the mark we shot at was union and unity, so it pleased God in the handling thereof, to bless us with the spirit of unity, insomuch as from our first sitting unto the breaking up of our assembly (a thing most rare, the circumstance of the cause and persons considered) there did not happen or intervene, neither in our debates

debates or arguments, any manner altercation or strife of words; nor in our resolutions any variety or division of votes, but the whole passed with an unanimity and uniformity of consent; and yet so, as we suppose, there was never in any consultation greater plainness and liberty of speech, argument and debate, replying, contradicting, recalling any thing spoken where cause was, expounding any matter ambiguous or mistaken; and all other points of free and friendly interlocution and conference, without cavillations, advantages or overtakings: A matter that we cannot ascribe to the skill or temper of our owne carriage, but to the guiding and conducting of God's holy providence and will, the true author of all unity and agreement; neither did we, where the business required, rest so upon our own sense and opinions, but we did also aide and assist our selves, as well with the reverend opinion of Judges and persons of great science and authority in the laws, and also with the wisdom and experience of Merchants, and men expert in commerce. In all which our proceedings notwithstanding, we are so far from pretending or aiming at any prejudication, either of his royal Majesty's soveraigne and high wisdom, which we do most dutifully acknowledge to be able to pierce and penetrate far beyond the reach of our capacityes, or of the solid and profound judgment of the high Courts of Parliament of both realms, as we do in all humbleness submit our judgments and doeings to his sacred Majesty, and to the Parliaments, protesting our sincerity and craving gracious and benigne construction and acceptation of our traavailes.

We

We therefore with one mind and consent have agreed and concluded, that there be propounded and presented to his Majestie and the Parliament of both realmes, these articles and propositions following.

A PRE-

A

PREPARATION

Toward the

UNION of the LAWS

O F

ENGLAND and SCOTLAND.*

YOUR Majesty's desire of proceeding towards the union of this whole island of *Great Brittain* under one law, is (as far as I am capable to make anie opinion of soe great a cause) very agreeable to pollicie and justice. To pollicie, because it is one of the best assurances (as humane events can be assured) that there will be never anie relapse in anie future ages to a separation. To justice, because *dulcis tractus pari jugo*, it is reasonable that communication of priviledge, drawe on communication of discipline and rule. This work being of greatness and difficultie need-

* This was very imperfectly and incorrectly printed without the dedication, under this title, *Cases of Treason*, &c. 4^{to}. 1641.

eth not to embrace any greater compasse of designment, then is necessary to your Majesty's maine end and intention. I consider therefore, that it is a true and received division of law into *jus publicum* and *privatum*, the one being the sinews of propertie, and the other of government; for that which concerneth private interest of *meum* and *tuum*, in my simple opinion, it is not at this time to be meddled with; Men love to hold their owne as they have held, and the difference of this lawe carrieth no marke of separation; for we see in anie one kingdome, which is most at unitie in itself, there is diversity of customes for the guiding of property and private rights, *In veste varietas fit, scissura non fit*. All the labour is to be spent in the other part, though perhaps not in all the other part; for it may be, your Majestie in your high wisdom will discern that even in that part, there will not be requisite a conformitie in all points. And although such conformitie were to be wished, yet perchance it will be scarcely possible in manie points to passe them for the present by assent of Parliament. But because we that serve your Majestie in the service of our skill and profession, cannot judge what your Majestie, upon reason of estate, will leave and take; therefore it is fit for us to give as near as we can a general information: wherein I for my part, think good to hold my self to one of the parallels, I meane that of the *English* lawes. For although I have read, and read with delight, the *Scottish* statutes, and some other collection of their lawes; with delight I say, partlie to see their brevitie, and proprietie of speech, and partlie to see them come so near to our lawes: Yet I am unwilling

willing to put my sickle in anothers harvest, but to leave it to the Lawiers of the *Scottish* nation, the rather, because I imagine with my self, that if a *Scottish* Lawier should undertake by reading of the *English* statutes, or other our books of lawe, to set down positively in articles, what the lawe of *England* were, he mought oftentimes erre, and the like errors I make account I mought incurre in theirs. And therefore, as I take it, the right way is, that the Lawiers of either nation, doe set downe in brief articles what the lawe is of their nation, and then after a book, of two columnes, either having the two lawes placed respectively, to be offered to your Majestie, that your Majestie may by a ready view see the diversities, and soe judge of the reduction, or leaving it as it is.

Jus publicum I will divide, as I hold it fittest for the present purpose, into four parts. The first, concerning criminal causes, which with us are truly accompted *publici juris*, because both the prejudice and the prosecution, principally pertain to the crowne and publique estate. The second, concerning the causes of the Church. The third, concerning magistrates, offices, and courts, wherein falleth the consideration of your Majesty's regal prerogative, whereof the rest are but streames. And the fourth, concerning certain special politique lawes, usages and constitutions, that doe import the publique peace, strength and wealth of the kingdome. In which part I doe comprehend not only constant ordinaunces of lawe, but likewise fourmes of administration of lawe, such as are the commissions of the Peace, the visitations of the provinces by the Judges of the circuits, and the like. For

these in my opinion, for the purpose now in hand, deserve a special observation, because they being matters of that temporarie nature, as they may be altered, as I suppose, in either kingdome without Parliament, as to your Majesty's wisdom may seeme best, it may be the most profitable and ready part of this labour will consist in the introducing of some uniformitie in them.

To begin therefore with capital crimes, and first that of TREASON.

CASES of TREASON.

WHERE a man doth compasse or imagine the death of the King, if it appeare by anie overt act, it is treason.

Where a man doth compasse or imagine the death of the King's wife, if it appeare by anie overt act, it is treason.

Where a man doth compasse or imagine the death of the King's eldest sonne and heire, if it appeare by anie overt act, it is treason.

Where a man doth violate the King's wife, it is treason.

Where a man doth violate the King's eldest daughter unmarried, it is treason.

Where a man doth violate the wife of the King's eldest sonne and heire, it is treason.

Where a man doth levie warre against the King in his realme, it is treason.

Where a man is adherent to the King's enemies, giving them aide and comfort, it is treason.

Where a man counterfeiteth the King's great seale, it is treason.

Where a man countetfeith the King's privie seale, it is treason.

Where a man counterfeiteth the King's privie signet, it is treason.

Where a man doth counterfeit the King's signe manuell, it is treason.

Where a man counterfeits the King's monie, it is treason.

Where a man bringeth into the realme false monie, counterfeited to the likenesse of the coyne of *England*, with intent to marchandize or make payment therewith, and knowing it to be false, it is treason.

Where a man counterfeiteth any foreyne coyne currant in payment within this realme, it is treason.

Where a man doth bring in foreyne monie, being currant within the realme, the same being false and counterfeit, with intent to utter it, and knowing the same to be false, it is treason.

Where a man doth clippe, wash, round, or file any of the King's monie, or any foreyne coyne, currant by proclamation, for gayne's sake, it is treason.

Where a man doth anie waies impaire, diminish, falsifie, scale, or lighten the King's monies, or any foreyne monies, currant by proclamation, it is treason.

Where a man killeth the Chancellour, being in his place, and doing his office, it is treason.

Where a man killeth the Treasurer, being in his place, and doing his office, it is treason.

Where a man killeth the King's Justice in *Eyre*, being in his place, and doing his office, it is treason.

Where a man killeth the King's Justice of *Affise*, being in his place, and doing his office, it is treason.

Where a man killeth the King's Justice of *Oyer* and *Determiner*, being in his place, and doing his office, it is treason.

Where a man doth perswade or withdrawe any of the King's subjects from his obedience, or from the religion by his Majestie established, with intent to withdrawe him from the King's obedience, it is treason.

Where a man is absolved, reconciled, or withdrawne from his obedience to the King, or promiseth his obedience to any foreyne power, it is treason.

Where any Jesuite, or other priest ordained since the first yeere of the reign of *Queene Elizabeth*, shall come into, or remaine in any part of this realme, it is treason.

Where any person being brought up in a colledge of Jesuites, or Seminarie, shall not returne within six moneths after proclamation made, and within two dayes after his returne, submit himselfe to take the oath of supremacie, if otherwise hee doe returne, or be within the realme, it is treason.

Where a man doth affirme or maintaine any authority of jurisdiction spirituall, or doth put in ure or execute any thing for the advancement or setting forth thereof, such offence the third time committed, is treason.

Where

Where a man refuseth to take the oath of supremacy, being tendred by the Bishop of the diocesse, if hee bee an ecclesiastical person; or by commission out of the Chancery, if hee bee a temporall person; such offence, the second time, is treason.

Where a man committed for treason, doth voluntarily breake prison, it is treason.

Where a jaylor doth voluntarily permit a man committed for treason to escape, it is treason.

Where a man procureth or consenteth to a treason, it is treason.

Where a man relieveth or comforteth a traitor, knowing it, it is treason.

The punishment, triall, and proceedings in cases of treason.

In treason, the corporall punishment is by drawing on a hurdle from the place of the prison to the place of execution, and by hanging and being cut downe alive, bowelling and quartering: and in women by burning.

In treason, there ensueth a corruption of bloud in the line ascending and descending.

In treason, lands and goods are forfeited, and inheritances, as well intalled as fee simple, and the profits of states for life.

In treason, the escheats goe to the King, and not to the Lord of the fee.

In treason, the lands forfeited shall be in the King's actual possession, without office.

In treason there be no accessaries, but all are principals.

In treason, no benefit of clergie, or sanctuary, or peremptory challenge.

In treason, if the party stand mute, yet neverthelesse judgment and attainer shall proceed all one as upon verdict.

In treason, bayle is not permitted.

In treason, no Counsell is to bee allowed to the partie.

In treason, no witnesse shall be received upon oth for the partie's justification.

In treason, if the fact bee committed beyond the seas, yet it may bee tried in any countie where the King will award his commission.

In treason, if the partie bee *non sanæ memoriæ*, yet if hee had formerlie confessed it before the King's counsel, and that it bee certified that hee was of good memorie at the time of his examination and confession, the court may proceed to judgement without calling or arraigening the partie.

In treason, the death of the partie before conviction dischargeth all proceedings and forfeitures.

In treason, if the partie be once acquitt, hee shall not bee brought in question againe for the same fact.

In treason, no newe case not expresse in the statute of 25 K. E. 3. nor made treason by anie special statute since, ought to bee judged treason, without consulting with the Parliament.

In treason, there can be no prosecution but at the King's suite, and the King's pardon dischargeth.

In treason, the King cannot grant over to anie subject power and authoritie to pardon it.

In treason, a triall of a Peere of the kingdome is to
bee

bee by speciall commiſſion before the Lord high Steward, and thoſe that paſſe upon him to be none but Peers: And the proceeding is with great ſolemnitie, the Lord Steward fitting under a cloth of eſtate with a white rodde of juſtice in his hand, and the Peeres may conferre together, but are not any waies ſhut up; and are demanded by the Lord Steward their voices one by one, and the plurality of voices carrieth it.

In treaſon, it hath been an auncient uſe and favour from the Kings of this realme to pardon the execution of hanging, drawing, and quartering; and to make warrant for their beheading.

The proceeding in caſe of treaſon with a common ſubject is in the King's-Bench, or by commiſſion of *Oyer* and *Determiner*.

MISPRISION of TREASON.

Caeſes of miſpriſion of Treason.

WHERE a man concealeth high treaſon onely, without any comforting or abetting, it is miſpriſion of treaſon.

Where a man counterfeiteth any foreigne coyne of gold or ſilver not currant in the realme, it is miſpriſion of treaſon.

The punishment, tryall, and proceeding in cases of misprision of Treason.

The punishment of misprision of treason is by perpetuall imprisonment, losse of the issues of their lands during life, and losse of goods and chattels.

The proceeding and triall is, as in cases of treason.

In misprision of treason bayle is not admitted.

PETIE TREASON.

Cases of petie Treason.

WHERE the servant killeth the master, it is petie treason.

Where the wife killeth her husband, it is petie treason.

Where a spiritual man killeth his prelate, to whom hee is subordinate, and oweth faith and obedience, it is petie treason.

Where the sonne killeth the father or mother, it hath bene questioned whether it be petie treason, and the late experience and opinion seemeth to weigh to the contrarye, though against lawe and reason in my judgement.

*The punishment, tryall, and proceeding in cases of petie
Treason.*

In petie treason, the corporall punishment is by drawing on an hurdle, and hanging.

In petie treason, the forfeiture is the same with the case of felony.

In petie treason, all accessaries are but in case of felonie.

F E L O N Y.

Cases of Felony.

WHERE a man committeth murder, that is, homicide of prepenfled malice, it is felony.

Where a man committeth manslaughter, that is, homicide of sudden heate, and not of malice prepenfled, it is felony.

Where a man committeth burglarie, that is, breaking of an house with an intent to commit felony, it is felony.

Where a man rideth armed, with a felonious intent, it is felony.

Where a man doth maliciouslie and feloniouslie burne a house, it is felony.

Where a man doth maliciouslie and feloniouslie burne corne upon the ground, or in stacks, it is felony.

Where a man doth maliciouslie cut out another's tongue, or put out his eyes, it is felony.

Where a man robbeth or stealeth, that is, taketh away another man's goods, above the value of twelve

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pence,

pence, out of his possession, with an intent to conceale it, it is felony.

Where a man imbesileth or withdraweth any the King's records at *Westminster*, whereby anie judgment is reversed, it is felony.

Where a man that hath custody of the King's armour, munition, or other abilitments of warre, doth maliciouſlie convey away the same, to the value of twenty shillings, it is felony.

Where a servant hath goods of his master's delivered unto him, and goeth away with them, it is felony.

Where a man conjures, or invokes wicked spirits, it is felony.

Where a man doth use or practise any manner of witchcraft, whereby any person shall bee killed, wasted, or lamed in his body, it is felony.

Where a man practiseth any witchcraft, to discover treasure hid, or to discover stolne goods, or to provoke unlawfull love, or to impaire or hurt any man's cattell or goods, the second time, having been once before convicted of like offence, it is felony.

Where a man useth the craft of multiplication of gold or silver, it is felony.

Where a man committeth rape, it is felony.

Where a man taketh away a woman against her will, not clayming her as his ward or bondwoman, it is felony.

Where any person marrieth againe, his former husband or wife being alive, it is felony.

Where a man committeth buggery with man or beast, it is felony.

Where any persons, above the number of twelve, shall assemble themselves with intent to put downe inclosures, or bring down prices of victuals, &c. and do not depart after proclamation, it is felony.

Where a man shall use any words to encourage or draw any people together, *ut supra*, and they doe assemble accordingly, and doe not depart after proclamation, it is felony.

Where a man being the King's sworne servant, conspireth to murder any Lord of the realme, or any of the privie council, it is felony.

Where a souldier hath taken any parcel of the King's wages, and departeth without licence, it is felony.

Where a man receiveth a feminary priest, knowing him to be such a priest, it is felony.

Where a recusant, which is a seducer, and perswader, and incyter of the King's subjects against the King's authority in ecclesiastical causes, or a perswader of conventicles, &c. shall refuse to abjure the realme, it is felony.

Where vagabonds bee found in the realme, calling themselves *Egyptians*, it is felony.

Where a purveyor taketh without warrant, or otherwise doth offend against certaine speciall lawes, it is felony.

Where a man hunteth in any forrest, parke, or warren, by night or by day, with vizards or other disguisements, and is examined thereof and concealeth his fact, it is felony.

Where a man stealeth certaine kinds of hawkes, it is felony.

Where a man committeth forgery the second time, having been once before convicted, it is felony.

Where a man transporteth rammes or other sheepe out of the King's dominions, the second time, it is felony.

Where a man being imprisoned for felony, breaks prison, it is felony.

Where a man procureth or consenteth to a felony to bee committed, it is felony, as to make him accessarie before the fact.

Where a man receiveth or relieveth a felon, knowing thereof, it is felony, as to make him accessary after fact.

Where a woman, by the constraint of her husband, in his presence, joyneth with him in committing of felony, it is not felony, neither as principall, nor as accessary.

The punishment, tryall, and proceeding in cases of felonie.

In felony, the corporal punishment is by hanging, and it is doubtfull whether the King may turn it into beheading in the case of a Peer, or other person of dignity, because in treason the striking off the head is part of the judgement, and so the King pardoneth the rest: but in felony, it is no part of the judgement, and the King cannot alter the execution of law; yet presidents have beene both wayes.

In felony, there followeth corruption of bloud, except it bee in cafes made felony by speciall statutes, with a proviso that there shall be no corruption of bloud.

In felony, lands in fee simple, and goods are forfeited, but not lands intailed, and the profits of state for life are likewise forfeited: And by some speciall customes lands in fee simple are not forfeited;

The father to the bough, sonne to the plough.

In felony, the escheats goe to the Lord of the fee, and not to the King, except hee be Lord: But the profits of states for lives, or in taile during the life of tenant in taile, goe to the King; and the King hath likewise in fee simple lands holden of common Lords, *annum, diem, & vastum*.

In felony, the lands are not in the King before office, nor in the Lord before entrie or recovery in writ of escheate, or death of the party attainted.

In felony, there can bee no proceeding with the accessory before there bee a proceeding with the principall; which principall if hee die, or plead his pardon, or have his clergie before attainder, the accessories can never be dealt with.

In felony, if the party stand mute, and will not put himselfe upon his tryall, or challenge peremptorily above the number that the law allowes, hee shall have judgement not of hanging, but of penance of pressing to death; but then he saves his lands and forfeits only his goods.

In

In felony, at the common law, the benefit of clergie or sanctuary was allowed; but now by statutes it is taken away in most cases.

In felony, baile may be admitted where the fact is not notorious, and the person not of evil fame.

In felony, no counsell is to bee allowed to the party, no more than in treason.

In felony, no witnesse shall bee received upon oath for the parties justification, no more than in treason.

In felony, if the fact bee committed beyond the seas, or upon the seas, *super altum mare*, there is no tryall at all in the one case, nor by course of jury in the other case, but by the jurisdiction of the Admiralty.

In felony, if the party bee *non sanæ memoriæ*, although it bee after the fact, hee cannot be tryed nor adjudged, except it be in course of outlawry, and that is also erroneous.

In felony, the death of the party before conviction dischargeth all proceedings and forfeitures.

In felony, if the party bee once acquitt, or in peril^l of judgement of life lawfully, hee shall never be brought in question againe for the same fact.

In felony, the prosecution may bee either at the King's suit, by way of inditement, or at the partie's suit, by way of appeale; and if it be by way of appeal, the defendant shall have his counsell and produce witnesse upon oath, as in civill causes.

In felony, the King may grant *bault justice* to a subject, with the regality of power to pardon it.

In felony, the tryall of Peers is all one as in case of treason.

In felony, the proceedings are in the King's Bench, or before Commissioners of Oyer and Determiner, or of goale delivery, and in some cases before justices of peace.

Cases of felonia de se, with the punishment, triall, and proceeding therein.

In the civill law, and other lawes, they make a difference of cases of *felonia de se*; for where a man is called in question upon any capitall crime, and killeth himselfe to prevent the law, they give the same judgement in all points of forfeiture, as if they had been attainted in their life time: And on the other side, where a man killeth himselfe upon impatience of sickness, or the like, they doe not punish it at all: But the law of *England* taketh it all in one degree, and punisheth it onely with losse of goods to bee forfeited to the King, who generally granteth them to his Almoner, where they bee not formerly granted unto speciall liberties.

OFFENCES OF PREMUNIRE.

Cases of Premunire.

WHERE a man purchaseth or accepteth any provision, that is, collation of any spirituall benefice or living from the sea of *Rome*, it is case of premunire.

Where a man shall purchase any proceſse to draw any people of the King's allegiance out of the realme, in plea, whereof the cognizance pertaines to the King's court, and cometh not in person to answer his contempt
in

in that behalfe before the King and his councell, or in his Chancerie, it is case of premunire.

Where a man doth sue in any court which is not the King's court, to defeat or impeach any judgement given in the King's court, and doth not appeare to answer his contempt, it is case of premunire.

Where a man doth purchase or pursue in the court of *Rome*, or elsewhere, any processe, sentence of excommunication, bull, instrument, or other thing which toucheth the King in his regality, or his realme in prejudice, it is case of premunire.

Where a man doth affirme or maintain any foreine authority of jurisdiction spirituall, or doth put in ure or execute any thing for the advancement or setting forth thereof; such offence, the second time committed, is case of premunire.

Where a man refuseth to take the oath of supremacy being tendred by the Bishop of the diocesse, if he bee an ecclesiasticall person; or by commission out of the chancery, if he bee a temporal person, it is case of premunire.

Where the Deane and Chapter of any church upon the *Conge d'elier* of an Archbishop or Bishop doth refuse to elect any such Archbishop or Bishop as is nominated unto them in the King's letters missive, it is case of premunire.

Where a man doth contribute or give reliefe unto any Jesuite or seminary priests, or to any colledge of Jesuites or seminary priests, or to any person brought up therein, and called home, and not returning, it is case of premunire.

Where

Where a man is broker of an usurious contract above ten in the hundred, it is case of premunire.

The punishment, tryall, and proceeding in cases of premunire.

The punishment is by imprisonment during life, forfeiture of goods, forfeiture of lands in fee simple, and forfeiture of the profits of lands intailed, or for life.

The triall and proceeding is as in cases of misprision of treason, and the tryall is by peers where a Peer of the realme is the offender.

Offences of ABJURATION and EXILE.

Cases of abjuration and exile, and the proceeding therein

WHERE a man committeth any felony, for the which at this day hee may have priviledge of sanctuary, and taketh sanctuary, and confesseth the felony before the Coroner, he shall abjure the liberty of the realme, and chuse his sanctuary; and if hee commit any new offence, or leave his sanctuary, hee shall lose the priviledge thereof, and suffer as if hee had not taken sanctuary.

Where a man not coming to the church, and not being a Popish recusant, doth perswade any the King's subjects to impugne his Majesties authority in causes ecclesiasticall, or shall perswade any subject from coming to the church, or receiving the communion, or

perswade any subject to come to any unlawfull conventicles, or shall be present at any such unlawful conventicles, and shall not after conforme himselfe within a time, and make his submission, hee shall abjure the realme, and forfeit his goods and his lands during life; and if hee depart not within the time prefixed, or returne, hee shall bee in the degree of a felon.

Where a man being a Popish recusant, and not having lands to the value of twenty marks by the year, nor goods to the value of forty pound, shall not reparaire to his dwelling, or place where hee was borne, and there confine himselfe within the compasse of five miles, hee shall abjure the realme; and if he returne, he shall be in the degree of a felon.

Where a man kills the King's deere in chases or forests, and can find no sureties after a yeeres imprisonment, he shall abjure the realme.

Where a man is a trespasser in parkes, or in ponds of fish, and after three yeeres imprisonment cannot finde suretie, hee shall abjure the realme.

Where a man is a ravisher of any childe within age whose marriage belongs unto any person, and marrieth the said childe after yeeres of consent, and is not able to satisfie for the marriage, he shall abjure the realme.

OFFENCE of HERESIE.

Cases of Heresie, and the triall and proceeding therein.

THE declaration of Heresie, and likewise the proceeding and judgement upon Hereticks is by the common lawes of this realme referred to the jurisdiction ecclesiasticall, and the secular arme is reached unto them by the common lawes, and not by any statute, for the execution of them by the King's writ *de Hæretico comburendo*.

Here ends the original Manuscript.

An Argument of Sir FRANCIS BACON, the King's Solicitor, in the lower house of Parliament, proving the King's right of Impositions on merchandises imported and exported.*

AND it please you, Mr. Speaker, this question touching the right of impositions is very great; extending to the prerogative of the King on the one part, and the liberty of the Subject on the other; and that in a point of profit and value, and not of conceite or fancy. and therefore as weight in all motions increaseth force, so I do not marvaille to see men gather the greatest strength of argument they can to make good their opinions. And so you will give me leave likewise, being strong in mine own perswasion that it is the King's right, to shew my voice as free as my thought. And for my part I mean to observe the true course to give strength to this cause, which is, by yielding those things which are not tenable, and keeping the question within the true state and compass, which will discharge many popular arguments, and contracte the debate into a less roome.

Wherefore I doe deliver the question, - and exclude or sett by, as not in question, five things. first, the question is *de portorio*, and not *de tributo*, to use the Roman words for explanation sake; it is not, I saye, touching any taxes within the land, but of payments at the

* This matter was much debated by the Lawyers and Gentlemen in the Parliament, 1610 and 1614, &c. and afterwards given up by the Crown in 1641.

ports. secondly, it is not touching any impost from porte to porte, but where *claves regni* the keys of the kingdom are turned to lett in from foreign partes, or to send forth to foreign partes; (in a word) matter of commerce and intercourse, not simply of carriage or vecture. thirdly, the question is (as the distinction was used above in another case) *de vero & falso*, and not *de bono & malo*, of the legall point, and not of the inconvenience, otherwise then as it serves to decide the law. fourthly, I doe sett apart three commoditys, woolls, woollfells, and leather, as being in different case from the rest; because the custom upon them is *antiqua custuma*. lastly, the question is not whether in matter of imposing, the King may alter the law by his prerogative, but whether the King have not such a prerogative by lawe.

The state of the question being thus cleared and freed, my proposition is, that the King by the fundamentall lawes of this kingdom hath a power to impose upon merchandize and commoditys both native and foreign. In my prooffe of this proposition all that I shall say, be it to confirm or confute, I will draw into certain distinct heades or considerations which move me and may move you.

The first is an universall negative: there appeareth not in any of the King's courts any one record wherein an imposition layed at the portes, hath been overthrown by judgment; nay more, where it had been questioned by pleading. This plea, *quod summa prædicta minus juste imposita fuit, & contra leges & consuetudines regni hujus Angliæ, unde idem Bates illam solvere recusavit prout ei bene licuit*; is *primæ impressiois*. Bates

was

was the first man *ab origine mundi* (for any thing that appeareth) that ministred that plea; whereupon I offer this to consideration, the King's actes that grieve the subject are either against law and so voyd, or according to strictness of law, and yet grievous: and according to these several natures of grievance there be several remedies: be they against law? overthrow them by judgment: bee they too streight and extreame, though legall? propound them in Parliament: for as much then as impositions at the portes, having been so often layed were never brought into the King's courts of justice, but still brought to Parliament, I may most certainly conclude, that they were conceived not to be against law. And if any man shall think that it was too high a point to question by law before the Judges, or that there should want fortitude in them to ayd the subject; noe, it shall appear from time to time in cases of equal reach where the King's actes have been indeed against law, the course of law hath runne, and the Judges have worthily done their duty.

12 Hen. 4.

13 Hen. 4.

As in the case of an imposition upon linnen cloth for the alnage; overthrown by judgment.

40 Aff.

The case of a commission of arrest and committing of subjects upon examination without conviction by Jurye, disallowed by the Judges.

2 Eliz.

Scrogg's Case.

A commission to determine the right of the Exigenter's place, *secundum sanam discretionem*, disallowed by the Judges.

43 Eliz.

The case of the monopoly of cardes overthrowne and condemned by judgment.

I might make mention of the jurisdiction of some courtes, of discretion wherein the Judges did not decline

to give opinion. Therefore had this been againſt lawe, there would not have been *altum ſilentium* in the King's courtes. Of the contrary judgments I will not yet ſpeake; thus much now, that there is no judgment, no nor plea againſt it. though I ſayed noe more, it were enough, in my opinion, to induce you to a *non liquet*, to leave it a doubt.

The ſecond conſideration is the force and continuance of payments made by graunts of Merchants, both ſtrangers and Engliſh without conſent of Parliament. Herein I lay this ground, that ſuch graunts conſidered in themſelves are void in lawe: for Merchants, either ſtrangers or ſubjects, they are no bodie corporate, but ſingular and diſperſed perſons; they cannot bind ſucceſſion, neither can the major part bind the reſidue: how then ſhould their graunts have force? noe otherwiſe but thus; that the King's power of impoſing was only the legall virtue and ſtrength of thoſe graunts; and that the conſent of a Merchant is but a concurrence, the King is *principale agens*, and they are but as the patient, and ſo it becomes a binding act out of the King's power.

Now if any man doubt that ſuch graunts of Merchants ſhould not be of force, I will alledge but two memorable recordes, the one for the Merchants ſtrangers, the other for the Merchants *Engliſh*. That for the ſtrangers is upon the graunte of *chart. mercator.* of three pence in value *ultra antiquas cuſtumas*; which graunt is in uſe and practice at this day. For it is well known to the Merchants, that that which they call ſtranger's cuſtome, and erroneuſly double cuſtome, is but three pence in the pound more than *Engliſh*. Now look into the ſtatutes

of

³¹ Ed. 1.
*Chart. merca-
toria.*

of subsidy of tonnage and poundage, and you shall find (a few merchandise only excepted) the poundage equal upon alien and subject; so that this difference or excess of three pence hath noe other ground than that graunt. It falleth to be the same in quantity; there is no statute for it, and therefore it can have no strength but from the Merchant's graunts; and the Merchants graunts can have noe strength but from the King's power to impose.

17 Ed. 3.

For the merchants *English* take the notable record in 17 E. 3. where the Commons complained of the fortie shillings upon the sack of wooll as a maletolle set by the assent of the Merchants without consent of Parliament; nay they dispute and say it were hard that the Merchant's consent should be in damage of the Commons. What sayeth the King to them? doth he grant it or give way to it? noe; but replies upon them and sayeth it cannot be rightly construed to be in prejudice of Commons, the rather because provision was made, that the Merchants should not worke upon them, by colour of that payment to encrease their price; in that there was a price certain sett upon the woolls, and there was an end of that matter; which plainly affirmeth the force of the Merchant's graunts. so then the force of the graunts of Merchants both *English* and strangers appeareth, and their graunts being not corporate are but *noun adjectives* without the King's power to impose.

The third consideration is of the first and most ancient commencement of customs; wherein I am somewhat to seek; for as the poet saith *Ingrediturque solo, & caput inter nubila condit.* the beginning of it is obscure;

scure ; but I rather conceive that it is by common law than by grant in Parliament ; for first, Mr. *Dier's* opinion was, that the ancient custom for exportation was by the common lawes ; and goeth further, that that ancient custom was the custom upon woolles woollfelles and leather, he was deceived in the particular, and the diligence of your search hath revealed it ; for that custome upon these three merchandizes grew by grant of Parliament 3^o E. I. but the opinion in general was founde ; for there was a custom before that ; for the records themselves which speak of that custom do term it a new custom *alentour del novel custome*, as concerning the new custom granted, &c. this is pregnant there was yet a more ancient. So for the strangers, the graunt in 31 E. I. *Chart. Mercator.* is that the three pence graunted by the strangers should be *ultra antiquas custumas*, which hath no affinity with that custom upon the three species, but presupposeth more auncient customs in general ; now if any man think that those more ancient customs were likewise by act of Parliament, it is but a conjecture ; it is never recited *ultra antiquas custumas prius concessas*, and acts of Parliament were not much stirring before the great charter, which was 9 H. III. And therefore I conceive with Mr. *Dyer* that whatsoever was the ancient custom was by the common law. And if by the common law, then what other means can be imagined of the commencement of it but by the King's imposing.

The fourth consideration is of the manner that was held in Parliament in the abolishing of impositions layed, wherein I will consider first the manner of the pe-

Argument of Impositions.

titions exhibited in Parliament; and more specially the nature of the King's answeres. For the petitions I note two things; first, that to my remembrance there was never anie petition made for the revoking of anie imposition upon foreign merchants only. It pleased the *Decemviri* in 5^o E. II. to deface *chart. Mercator.* and so the imposition upon strangers as against lawe: but the opinion of these reformers I doe not much trust, for they of their gentleness did likewise bring in doubt the demye mark, which it is manifest was graunted by Parliament, and pronounced by them the King should have it, *s'il avoir le doit*: but this is declared voyd by 1^o E. III. which reneweth *chart. Mercator.* and voyde must it needs be, because it was an ordinance by commission only, and that in the time of a weak King, and never either warranted or confirmed by Parliament. Secondly I note that petitions were made promiscuously for taking away impositions sett by Parliament as well as without Parliament; nay that very tax of the *neufesme* the ninth sheafe or fleece which is recited to be against the King's oath and in blemishment of his crown was an act of Parliament, 14^o E. III. so then to inferr that impositions were against lawe, because they are taken away by succeeding Parliaments it is no argument at all, because the impositions sett by the Parliaments themselves, which noe man will say were against lawe were nevertheless afterwards pulled downe by Parliament. But indeed the argument holdeth rather the other waye, that because they took not their remedye in the King's courtes of justice, but did flye to the Parliament, therefore they were thought to stand with lawe.

Now

Now for the King's answeres : if the impositions complained of had been against lawe, then the King's answer ought to have been simple, *tanquam responsio categorica*; *non hypothetica*, as lett them be repealed, or lett the law runne; but contrarywise they admitt all manner of diversities and qualifications for

Sometimes the King disputeth the matter and doth nothing, as 17 E. III.

Sometimes the King distinguisheth of reasonable and not reasonable, as 38 E. III.

Sometimes he abolisheth them in part, and letteth them stand in part, as 11 E. II. the record of the *Mutuum*, and 14 E. III. the printed statute, whereof I shall speak more anon.

Sometimes that no imposition shall be sett during the time that the grauntes made of subsidies by Parliament shall continue, as 47 E. III.

Sometimes that they shall cease *ad voluntatem nostram*.

And sometimes that they shall hold over their term prefixed or assayed.

All which sheweth that the King did not disclaime them as unlawfull, for *actus legitimus non recipit tempus aut conditionem*. If it had been a disaffirmance by lawe they must have gone down in *solido*, but now you see they have been tempered and qualified as the King sawe convenient.

The fifth consideration, is of that which is offered by way of objection; which is, first, that such grauntes have been usually made by consent of Parliament; and secondly, that the statutes of subsidies of tonnage and poudage have been made as a kind of stint and limitation,

that the King should hold himself unto the proportion so graunted and not impose further, the rather because it is expressed in some of these statutes of tonnage and poundage, sometimes by way of protestation, and sometimes by way of condition that they shall not be taken in president, or that the King shall not impose any further rates or noveltys, as 6 R. II. 9 R. II. 13 H. IV. 1 H. V. which subsidies of tonnage and poundage have such clauses and cautions.

To this objection I give this answer. First, that it is not strange with Kings, for their own better strength, and the better contentment of their people, to doe those things by Parliament which nevertheless have perfection enough without Parliament. Wee see their own rights to the crown which are inherent, yet they take recognition of them by Parliament. And there was a speciall reason why they should doe it in this case, for they had found by experience that if they had not consent in Parliament to the setting of them up, they could not have avoided suite in Parliament for the taking of them downe. Besides there were some things requisite in the manner of the levy for the better strengthening of the same, which percase could not be done without Parliament, as the taking the oath of the party touching the value, the inviting of the discovery of concealment of custom by giving the moiety to the informer, and the like. Now in speciall for the statutes of subsidies of tonnage and poundage, I note three things. First, that the consideration of the graunt is not layed to be for the restrayning of impositions, but expressly for the guarding of the sea. Secondly, that it is true that the ancient

ent form is more peremptory, and the modern more submiss; for in the ancient forme sometimes they insert a flatt condition that the King shall not further impose; in the latter they humbly pray that the merchants may be demeaned without oppression paying those rates; but whether it be supplication, or whether it be condition, it rather implieth the King hath a power; for else both were needles, for *conditio annectitur ubi libertas presumitur*, and the word oppression seemeth to referr to excessive impositions. And thirdly, that the statutes of tonnage and poundage are but *cumulative* and not *privative* of the King's power precedent appeareth notably in the three pence overplus, which is paid by the merchants strangers, which should be taken away quite, if those statutes were taken to be limitations; for in that, as was touched before, the rates are equall in the generality between subjects and strangers, and yet that imposition, notwithstanding any supposed restriction of these actes of subsidies of tonnage and poundage remaineth at this day.

The sixth consideration is likewise of an objection, which is matter of practise, *viz.* that from *R. II.* time to *Q. Marie*, which is almost 200 years, there was an intermission of impositions, as appeareth both by records and the custome books.

To which I answer; both that we have in effect an equal number of years to countervayle them, namely, 100 years in the times of the three Kings *Edwards* added to 60 of our last yeares; and *extrema obruunt media*; for wee have both the reverence of antiquity and the possession of the present times, and they but the middle

middle times; and besides in all true judgment there is a very great difference between an usage to prove a thing lawful, and a non-usage to prove it unlawful: for the practice plainly implieth consent; but the discontinuance may be either because it was not needful, though lawful; or because there was found a better meanes, as I think it was indeed in respect of the double customes by meanes of the staple at *Calis*.

*The judicial Charge of Sir FRANCIS BACON, the
King's Sollicitor, upon the Commission of Oyer
and Determiner held for the Verge of the
Court*.*

YOU are to know and consider well, the duty and service to which you are called, and whereupon you are by your oath charged. It is the happy estate and condition of the subject of this realm of *England*, that he is not to be impeached in his life, lands, or goods, by flying rumours or wandring fames and reports, or secret and privie inquisitions; but by the oath and presentment of men of honest condition, in the face of justice. But this happy estate of the subject, will turn to hurt and inconvenience, if those that hold that part which you are now to perform, shall be negligent and remiss in doing their duty; for as of two evils it were better mens doings were looked into over strictly and severely, than that there should be a notorious impunity of malefactors; as was well and wisely said of ancient time, *a man were better live where nothing is lawful, than where all things are lawful*. This therefore rests in your care and conscience, forasmuch as at you justice begins, and the law cannot pursue and chase offenders to their deserved fall, except you first put them up and discover them, whereby they may be brought to answer; for your verdict is not concluding to condemn, but it

* Several times incorrectly printed, without the proper title, now amended by the original.

is necessary to charge, and without it the Court cannot proceed to condemn.

Considering therefore that yee are the eye of Justice, ye ought to be single without partial affection; watchful, not asleep, or false asleep in winking at offenders, and sharp sighted to proceed with understanding and discretion; for in a word, if you shall not present unto the Court all such offences, as shall appear unto you either by evidence given in, or otherwise (mark what I say) of your own knowledge, which have been committed within the verge, which is as it were the limits of your survey, but shall smother and conceal any offence willingly, then the guiltiness of others will cleave to your consciences, before God; and besides, you are answerable in some degree to the King and his law, for such your default and suppression; and therefore take good regard unto it, you are to serve the King and his people, you are to keep and observe your oath, you are to acquit your selves.

But there is yet more cause why you should take more especial regard to your presentments, than any other grand juries, within the counties of this Kingdom at large. for as it is a neerer degree and approach unto the King, which is the fountain of justice and government, to be the King's servant, than to be the King's subject; so this commission ordained for the King's servants and household, ought in the execution of Justice to be exemplary unto other places; *David saith (who was a King) The wicked man shall not abide in my house;* as taking knowledge that it was impossible for Kings to extend their care, to banish wickedness over all their land or empire;

pire ; but yet at least they ought to undertake to God for their house.

We see further that the law doth so esteem the dignity of the King's settled mansion-house, as it hath laid unto it a plot of twelve miles round, which we call the Verge, to be subject to a special and exempted jurisdiction, depending upon his person and great officers. This is as a half pace, or carpet spread about the King's chair of estate, which therefore ought to be cleared and voided more than other places of the kingdome ; for if offences shall be shrouded under the King's wings, what hope is there of discipline and good justice in more remote parts ? We see the sun when it is at the brightest, there may be perhaps a bank of clouds in the north or the west , or remote regions, but near his body few or none ; for where the King cometh, there should come peace, and order, and an awe and reverence in mens hearts. And this jurisdiction was in ancient time executed, and since by statute ratified by the Lord Steward, with great ceremony in the nature of a peculiar King's Bench, for the *Verge*, for it was thought a kind of eclipsing to the King's honour, that where the King was, any justice should be sought but immediately from his own officers. But in respect that office was oft void, this commission hath succeeded, which change I do not dislike, for though it hath less state, yet it hath more strength legally ; therefore I say, you that are a jury of the *Verge*, should lead and give a pattern unto others in the care and conscience of your presentments.

Articuli super
Chartas, c. 3.
13 Ric. 2. c. 3.
33 H. 8. c. 12.

Concerning the particular points and articles whereof you shall inquire, I will help your memory and mine own with order, neither will I loade you or trouble my

self with every branch of several offences, but stand upon those that are principal and most in use: The offences therefore that you are to present are of four natures.

1. The first, such as concern God and his Church.
2. The second, such as concern the King and his estate.
3. The third, such as concern the King's people, and are capital.
4. The fourth, such as concern the King's people, not capital.

God and his Church.

The service of Almighty God, upon whose blessing the peace, safety, and good estate of King and kingdom doth depend, may be violated, and God dishonoured in three manners; by profanation, by contempt, and by division, or breach of unity.

Profanations.

1 Ed. 6. c. 1.
& 1 Eliz. c. 2.
1 M. c. 3.
5 Ed. 6. c. 4.
13 E. 1. Stat.
of Winton.

First, if any man hath depraved or abused in word or deed the blessed Sacrament, or disturbed the preacher or congregation in the time of divine service, or if any have maliciously stricken with weapon, or drawn weapon in any church or church-yard, or if any fair or market have been kept in any church-yard, these are prophanations within the purview of several statutes, and these you are to present; for holy things, actions, times, and sacred places, are to be preserved in reverence and divine respect.

*Contempts.
Recusancy.*

For contempts of our church and service, they are comprehended in that known name, which too many (if it pleased God) bear, recusancy; which offence hath many branches and dependencies: the wife recusant, she tempts; the church-papist, he feeds and relieves; the corrupt school-

school-master, he soweth tares; the dissembler, he conformeth and doth not communicate. Therefore, if any person, man, or woman, wife, or sole, above the age of sixteen years, not having some lawful excuse, have not repaired to church according to the several statutes, the one for the weekly, the other for the monthly repair, you are to present both the offence, and the time how long. Again, such as maintain, relieve, keep in service of livery, recusants, though themselves be none, you are likewise to present; for these be like the roots of nettles, which sting not themselves, but bear and maintain the stinging leaves. so of any that keepeth a school-master that comes not to church, or is not allowed by the Bishop, for that infection may spread farre. so such recusants as have been convicted and conformed, and have not received the sacrament once a year, for that is the touchstone of their true conversion. and of these offences of recusancie, take you special regard. Twelve miles from court is no region for such subjects. In the name of God, why should not twelve miles about the King's chair be as free from papist recusants, as twelve miles from the city of *Rome* (the popes chair) is from Protestants. There be hypocrites and atheists, and so I fear there be amongst us; but, no open contempt of their religion is endured. If there must be recusants, it were better they lurked in the country, than here in the bosome of the kingdome.

For matter of division and breach of unity, it is not without a mystery, that Christ's coat had no seam, ^{*Breach of U-*} ^{*nity.*} nor no more should the Church, if it were possible. Therefore if any minister refuse to use the book of common-

prayer, or wilfully swerveth in divine service from that book, or if any person whatsoever do scandalize that book, and speak openly and maliciously in derogation of it, such men do but make a rent in the garment, and such are by you to be enquired of. But much more, such as are not only differing, but in a sort opposite unto it, by using a superstitious and corrupted form of divine service, I mean such as say or hear masse.

These offences which I have recited to you, are against the service and worship of God : There remain two which likewise pertain unto the dishonour of God ; the one, is the abuse of his name, by perjury ; the other is, the adhering to God's declared enemies, evil and out-cast spirits, by conjuration and witchcraft.

Perjury.

For perjury, it is hard to say, whether it be more odious to God, or pernicious to man ; for an oath, saith the Apostle, is the end of controversies ; If therefore that boundary of suits be taken away or mis-set, where shall be the end ? Therefore you are to enquire of wilful and corrupt perjury in any of the King's courts, yea, of court barons and the like, and that as well of the actors, as of the procurer and suborner.

*Conjuration
and Witch-
craft.*

For witchcraft, by the former law it was not death, except it were actual and grosse invocation of evil spirits, or making covenant with them, or taking away life by witchcraft : But now by an act in his Majesty's times, charms and forceries in certain cases of procuring of unlawful love or bodily hurt, and some others, are made felony, the second offence : the first being imprisonment and pillory.

1 Jac. 4. 1, 2.

And here I do conclude my first part concerning religion and ecclesiastical causes; wherein it may be thought, ^{Supremacy placed with offences of State.} that I do forget matters of Supremacy, or of Jesuits, and Seminaries, and the like, which are usually sorted with causes of religion: But I must have leave to direct my self according to mine own perswasion, which is, that whatsoever hath been said or written on the other side, all the late statutes which inflict capital punishment upon extollers of the Pope's supremacy, deniers of the King's supremacy, Jesuits and Seminaries, and other offenders of that nature, have for their principal scope, not the punishment of the error of conscience, but the repressing of the peril of the estate. This is the true spirit of these laws, and therefore I will place them under my second division, which is, of offences that concern the King and his estate, to which now I come.

These offences therefore respect either the safety of ^{The King and the State.} the King's person, or the safety of his estate and kingdom, which though they cannot be dissevered in deed, yet they may be distinguished in speech. First then, if any have conspired against the life of the King, which ^{The King's person.} God have in his custody, or of the Queen's majesty, or of the most noble Prince their eldest son; the very compassing and inward imagination thereof is high treason, if it can be proved by any fact that is overt: for in the case of so suddain, dark, and pernicious, and peremptory attempts, it were too late for the law to take a blowe before it gives, and this high treason of all other is most heynous, of which you shall enquire, though I hope there be no cause.

There

Privy Council.

There is another capital offence that hath an affinity with this, whereof you here within the *Verge* are most properly to enquire; the King's Privy council are as the principal watch over the safety of the King, so as their safety is a portion of his: If therefore any of the King's servants within his cheque roll (for to them only the law extends) have conspired the death of any of the King's Privy council; this is felony, and thereof you shall enquire.

Representation of his person.

And since we are now in that branch of the King's person; I will speak also of the King's person by representation, and the treasons which touch the same.

The King's person and authority is represented in three things; in his Seals, in his Moneys, and in his principal Magistrates: if therefore any have counterfeited the King's great Seal, privy Seal, or Seal manual; or counterfeited, clipped, or scaled his moneys, or other moneys currant, this is high treason; so is it to kill certain great Officers or Judges executing their office.

The estate.

We will passe now to those treasons, which concern the safety of the King's estate, which are of three kinds answering to three perils which may happen to an estate: These perils are foreign invasion, open rebellion and sedition, and privy practice, to alienate and estrange the hearts of the subjects, and to prepare them, either to adhere to enemies, or to burst out into tumults and commotions of themselves.

Invasion and Rebellion.

Therefore if any person have solicited or procured any invasion from forreigners, or if any have combined to raise and stir the people to rebellion within the realm; these are high treasons, tending to the overthrow

throw of the estate of this Common-wealth, and to be enquired of.

The third part of practice hath divers branches, but one principal root in these our times, which is the vast and over-spreading ambition and usurpation of the See of *Rome*: for the Pope of *Rome* is, according to his late challenges and pretences, become a competitor and cor- rival with the King, for the hearts and obediences of the King's subjects. he stands for it, he sends over his love tokens and brokers (under colour of conscience) to steal and winne away the hearts and allegiances of the people, and to make them as fuel ready to take fire up- on any his commandments: This is that yoke which this kingdom hath happily cast off, even at such time when the Popish religion was neverthelesse continued, and that divers states which are the Pope's vassals do likewise begin to shake off.

If therefore any person have maintained and extolled the usurped authority of the bishop of *Rome*, within the King's dominions, by writing, preaching, or deed, ad- visedly, directly, and maliciously; or if any person have published or put in ure any of the Pope's bulls or in- struments of absolution; or if any person have with- drawn and reconciled any of the King's subjects from their obedience, or been withdrawn and reconciled; or if any subject have refused the second time, to take the oath of supremacy lawfully tendred; or if any Jesuit or Seminary come and abide within this realm; these are by severall statutes made cases of high treason, the law accounting these things as preparatives, and the first wheels and secret motions of seditions and revolts from the

*Alienation of
hearts.*

*Supremacy,
Treason, &c.
5 Eliz. c. 1.
Jesuits, &c.*

3 Jac. c. 4, 5.

28 Eliz. c. 2.

the King's obedience. Of these you are to enquire both of the actors and of their abettors, comforters, receivers, maintainers, and concealers; which in some cases are traitors, as well as the principal, in some cases in præmunire, in some other in misprision of treason, (which I will not stand to distinguish) and in some other, felony; as namely, that of the receiving and relieving of Jesuits and Priests: The bringing in and dispersing of *Agnus Dei's*, crosses, pictures, or such trash, is likewise præmunire, and so is the denial to take the oath of supremacy the first time.

13 Eliz. c. 2.

23 Eliz. c. 1.

Agnus Dei's.

Military.

And because in the disposition of a state to troubles and perturbations, military men are most tickle and dangerous; therefore if any of the King's subjects go over to serve in foreign parts, and do not first endure the touch, that is, take the oath of allegiance; or if he have born office in any army, and do not enter into bond with sureties as is prescribed, this is made felony, and such as you shall enquire.

Prophecies.

Lastly, because the vulgar people are sometimes led with vain and fond prophecies; If any such shall be published, to the end to move stirs or tumults, this is not felony, but punished by a year's imprisonment, and losse of goods; and of this also shall you enquire. You shall likewise understand that the escape of any prisoner committed for treason, is treason; whereof you are likewise to enquire.

The people
Capital.

Now come I to the third part of my division, that is, those offences which concern the King's people, and are capital, which nevertheless the law terms offences against the Crown, in respect of the protection that the
King

King hath of his people, and the interest he hath in them and their welfare; for touch them, touch the King; these offences are of three natures:

The first concerneth the conservation of their lives.

The second, of honour and honesty of their persons and families.

And the third, of their substance.

First for life; I must say unto you in general, that *Life* life is grown too cheap in these times, it is set at the price of words, and every petty scorn or disgrace, can have no other reparation; nay so many mens lives are taken away with impunity, that the very life of the law is almost taken away, which is the execution; and therefore though we cannot restore the life of those men that are slain, yet I pray let us restore the law to her life, by proceeding with due severity against the offenders; and most specially this plot of ground, (which as I said is the King's carpet) ought not to be stained with blood, crying in the ears of God and the King. It is true neverthelesse, that the law doth make divers just differences of life taken away; but yet no such differences as the wanton humors and braveries of men, have under a reverend name of honour and reputation invented. The highest degree is where such a one is killed, unto whom the offender did bear faith and obedience; as the servant to the master, the wife to the husband, the clerk to the prelate; and I shall ever add, (for so I conceive the law) the child to the father or the mother, and this the law termes petty treason.

The second is, where a man is slain upon forethought malice, which the law termes murther, and it is an offence horrible and odious, and cannot be blaunched nor made fair, but foul.

The third is, where a man is killed upon a suddain heat or affray, whereunto the law gives some little favour, because a man in fury is not himself, *Ira furor brevis*, wrath is a short madness; and the wisdom of law in his Majesties time hath made a subdivision of the stab given, where the party stabbed is out of defence, and had not given the first blowe, from other man-slaughters.

The fourth degree, is that of killing a man in the parties own defence, or by misadventure, which though they be not felonies, yet neverthelesse the law doth not suffer them to go unpunished; because it doth discern some sparks of a bloody mind in the one, and of carelesnes in the other.

And the fifth is, where the law doth admit a kind of justification, not by plea, for a man may not (that hath shed blood affront the law with pleading not-guilty) but when the case is found by verdict, being disclosed upon the evidence, as where a man in the King's high way and peace is assailed to be murdered or robbed, or when a man defends his house, which is his castle, against unlawful violence; or when a sheriff or minister of justice, is resisted in the execution of his office; or when the patient dyeth in the chyrurgions hands, upon cutting or otherwise, for these cases the law doth privilege, because of the necessity, and because of the innocency of the intention.

Thus

Thus much for the death of man, of which cases you are to enquire, together with the accessaries before and after the fact.

For the second kind, which concerns the honour and ^{Honesty of} chastnesse of persons and families; you are to enquire of ^{Life.} the ravishment of woman, of the taking of women out of the possession of their parents or guardians against their will, or marrying them, or abusing them. of double marriages, where there was not first seven years absence, and no notice that the party so absent was alive, and other felonies against the honesty of life. 1 Jac. c. 11.

For the third kind, which concerneth men's substance, ^{Substance.} you shall inquire of burglaries, robberies, cutting of purses, and taking of any thing from the person; and generally other stealths, aswell such as are plain as those that are disguised, whereof I will by and by speak: But first I must require you to use diligence in presenting specially those purloynings and imbezilments, which are of plate, vessell, or whatsoever within the King's house. The King's house is an open place, it ought to be kept safe by law, and not by lock, and therefore needeth the more severity.

Now for coloured and disguised robberies, I will name ^{28 Ed. 1.} two or three of them. The purveyor that takes with- ^{Articuli super} out warrant, is no better than a thief, and it is felony; ^{Chartas, c. 2.} the servant that hath the keeping of his master's goods, ^{31 Eliz. c. 4.} and going away with them, though he came to the pos- ^{33 H. 6. c. 1.} session of them lawfully, it is felony. Of these you shall likewise enquire, principals and accessaries; The voluntary escape of a felon is also felony. ^{21 H. 8. c. 7.}

*The People, not
capital.*

For the last part, which is of offences concerning the people, not capital, they are many: But I will select only such as I think fittest to be remembered unto you, still dividing to give you the better light; They are of four natures.

1. The first, is matter of force and outrage.
2. The second, matter of fraud and deceit.
3. Publick nufances and grievances.
4. The fourth, breach and inobservance of certain wholsome, and politick laws for government.

Force.

For the first, you shall enquire of riots and unlawful assemblies, of forcible entries, and detainers with force; and properly of all assaults, striking, drawing weapon or other violence, within the King's house, and the precincts thereof: for the King's house, from whence example of peace should flowe unto the farthest parts of the Kingdome, as the ointment of *Aaron's* head to the skirts of his garment, ought to be sacred and inviolate from force and brawls, aswell in respect of reverence to the place, as in respect of danger of greater tumult, and of ill example to the whole Kingdome: And therefore in that place all should be full of peace, order, regard, forbearance and silence.

Besides open force, there is a kind of force that cometh with an armed hand, but disguised that is no lesse hateful and hurtful, and that is, abuse and oppression by authority. And therefore you shall enquire of all extortions in officers, and ministers; as sheriffs, bailiffs of hundreds, escheators, coroners, constables, ordinaries,

and

and others, who by colour of office do pole the people.

For frauds and deceits, I do chiefly commend to your *Fraud.* care, the frauds and deceits in that which is the chief means of all just contract and permutation, which is, weights and measures, wherein, although God hath pronounced, that a false weight is an abomination, yet the abuse is so common and so general, I mean of weights, (and I speak it upon knowledge and late examination) that if one were to build a church, he should need but false weights, and not seek them far, of the piles of brasse to make the bells, and the weights of lead to make the battlements: And herein you are to make special enquiry, whether the Clerk of the market within the Verge, to whom properly it appertains, hath done his duty.

For nufances and grievances, I will for the present *Nufance.* only single out one, That yee present the decayes of high-ways and bridges; For where the majesty of a King's house draws recourse and acceffe, it is both disgraceful to the King, and diseafeful to the people, if the ways near abouts be not fair and good; wherein it is strange to see the chargeable pavements and cawseys in the avenues and entrances of the towns abroad beyond the seas, whereas *London*, the second city, at the least, of *Europe*, in glory, in greatness, and in wealth, cannot be discerned by the fairnesse of the wayes, though a little perhaps by the broadnesse of them, from a village.

For the last part, (because I passe these things over *Breach of Statutes.* briefly) I will make mention unto you of three laws.

1. The one concerning the King's pleasure.
2. The second, concerning the people's food.

3. And

3. And the third, concerning wares and manufactures.

King's pleasure.

You shall therefore enquire of the unlawful taking partridges, and pheasants, or fowle, the destruction of the eggs of the wild-fowle, the killing of hares or deer, and the selling of venison, or hares: for that which is for exercise, and sport, and courtesie, should not be turned to gluttony and sale victual.

Food.

You shall also enquire, whether bakers, and brewers keep their assise, and whether aswell they, as butchers, inn-holders, and victuallers, do sell that which is wholesome, and at reasonable prices; and whether they do link and combine to raise prices.

Manufactures.

5 Eliz. c. 4.

Lastly, you shall enquire, whether the good statute be observed, whereby a man may have that he thinketh he hath, and not be abused or miserved in that he buyes: I mean, that statute that requireth that none use any manual occupation, but such as have been seven years apprentice to it, which law being generally transgressed, makes the people buy in effect chaffe for corn, for that which is miswrought will miswear.

There be many more things inquireable by you, throughout all the former parts, which it were over-long in particular to recite; you may be supplied either out of your own experience, or out of such bills and informations as shall be brought unto you, or upon any question that you shall demand of the Court, which will be ready to give you any further direction, as far as is fit: But these which I have gone through are the principal points of your charge, which to present, you have taken the name of God to witnesse; and in the name of God perform it.

*A Certificate to his Majesty, touching the projects
of Sir STEPHEN PROCTOR, relating to the
penal Laws.*

It may please your sacred Majestie,

WITH the first free time from your Majesty's service of more present dispatch, I have perused the projects of Sir *Stephen Proctor*, and do find it a collection of extream diligence and inquisition, and more than I thought could have met in one man's knowledge. For though it be an easy matter to run over many offices and professions, and to note in them general abuses or deceits: yet nevertheless to point at and trace out the particular and covert practices, shifts, devises, tricks, and as it were stratagems in the meaner sort of the ministers of justice or publick service, and to do it truly and understandingly, is a discovery whereof great good use may be made for your Majesties service and good of your people. But because this work I doubt not hath been to the gentleman the work of yeres, whereas my certificate must be the work but of houres or dayes, and that it is commonly and truely said, that he that imbraceth much, freyneth and holdeth the lesse, and that propositions have wings, but operation and execution hath leaden feet; I most humbly desire pardon of your Majesty, if I do for the present onely select some one or two principal points, and certifie my opinion thereof; reserving the rest as a sheafe by me to draw out at further tyme further matter for your Majesty's information for so much as I shall conceive to be fit or worthy the consideration.

For

For that part therefore of these projects which concerneth penal lawes, I doe find the purpose and scope to be, not to presse a greater rigor or severity in the execution of penal lawes; but to repress the abuses in common informers and some clerks and under ministers that for common gaine partake with them: for if it had tended to the other point, I for my part should be very farre from advising your Majesty to give ear unto it. For as it is said in the Psalme, *If thou Lord should be extream to mark what is done amiss, who may abyde it?* So it is most certaine, that your people is so ensnared in a multitude of penal lawes, that the execution of them cannot be borne. And as it followeth; *But with thee is mercy, that thou maiest be feared:* so it is an intermixture of mercy and justice, that will bring you fear and obedience: for too much rigor makes people desperate. And therefore to leave this, which was the only blemish of King *Henry VII.* reigne, and the unfortunate service of *Empson* and *Dudley*, whom the people's curses, rather than any law, brought to overthrow; The other work, is a worke not only of profit to your Majesty, but of piety towards your people. For if it be true in any proportion, that within these five yeares of your Majesty's happy reigne, there hath not five hundred pounds benefit come to your Majesty by penal lawes (the fines of the Starchamber, which are of a higher kind onely except) and yet nevertheless there hath been a charge of at least fifty thousand pounds which hath been layed upon your people, it were more than time it received a remedy.

This remedy hath been sought by diverse statutes, as principally by a statute in 18. and another of 31. of the

the late Queen of happy memory. But I am of opinion that the appointing of an officer proper for that purpose, will doe more good than twenty statutes, and will do that good effectually, which these statutes aim at intentionally.

And this I do allow of the better, because it is none of those new superintendencies, which I see many tymes offered upon pretence of reformation, as if Judges did not their duty, or ancient and sworn Officers did not their duty and the like: but it is only to set a *Custos* or watchman, neither over Judges nor Clerks, but onely over a kind of people that cannot be sufficiently watched or overlooked, and that is the common Promoters or Informers; the very awe and noise whereof will do much good, and the practice much more.

I will therefore set down first what is the abuse or inconvenience, and then what is the remedy which may be expected from the industry of this officer. and I will divide it into two parts, the one, for that that may concerne the ease of your people (for with that I will crave leave to begin, as knowing it to be principal in your Majesty's intention) and the other for that, that may concerne your Majesty's benefit.

Concerning the ease of his Majesty's subjects,
polled and vexed by common Informers.

The Abuses or Inconveniences. *The remedies by the industry of the officer.*

- | | |
|---|---|
| 1. An Informer exhibits an information, and in that | 1. The Officer by his diligence finding this case, is |
| one | to |

one information, he will put an hundred several subjects of this information. every one shall take out copies, and every one shall put in his several answer. This will cost perhaps a hundred marks: that done, no further proceeding. But the Clerks have their fees, and the Informer hath his dividend for bringing the water to the mylne.

It is to be noted, that this vexation is not met with by any statute. For it is no composition, but a discontinuance; and in that case there is no penalty, but costs: and the poor subject will never sue for his costs, least it awake the Informer to revive his information, and so it scapeth clearly.

2. Informers receive pensions of divers persons to forbear them. And this is commonly of principal offenders, and of the wealthiest sort of tradesmen. for if one tradesman may presume to breake the law, and

to inform the Court thereof, who thereupon may grant good costs against the Informer, to every of the subjects vexed: and withal not suffer the same Informer to revive his information against any of them; and lastly fine him, as for a misdemeanor and abuse of justice, and by that time a few of such examples be made, they will be soon weary of that practice.

2. This is an abuse that appeareth not by any proceeding in Court, because it is before suite commenced, and therefore requireth a particular enquiry.

But when it shall be the care and cogitation of one man

and another not, he will be soone richer than his fellowes. As for example, if one Draper may use tenters, because he is in fee with an Informer, and others not, he will soon outstrip the good tradesman that keeps the law.

And if it be thought strange that any man should seek his peace by one Informer, when he lyeth open to all; the experience is otherwise: for one informer will beare with the friend of another, looking for the like measure.

And besides they have devices to get priority of information, and to put in an information, *de bene esse*, to prevent others, and to protect their pensioners:

And if it be said this is a pillory matter to the Informer; and therefore he will not attempt it; although therein the statute is a little doubtfull: yet if hanging will not keep thieves from stealing, it is not pillory will keep Informers from polling.

man to overlook Informers, these things are easily discovered: for let him but look who they be that the Informer calls in question, and hearken who are of the same trade in the same place and are spared, and it will be easy to trace a bargain.

In this case, having discovered the abuse, he ought to informe the Barons of the Exchequer, and the King's learned Counsell, that by the Star-chamber, or otherwise such taxers of the King's subjects may be punished.

And herein Sir *Stephen* addeth a notable circumstance: that they will peruse a trade, as of Brewers or Victuallers, and if any stand out, and will not be in fee, they will find means to have a dozen informations come upon him at once.

3. The subject is often for the same offence vexed by several informations: sometimes the one Informer not knowing of the other; and often by confederacy to weary the party with charge: Upon every of which goeth process, and of every of them he must take copies, and make answers, and so relieve himself by motion of the Court if he can; all which multiplieth charge and trouble.

3. The Officer keeping a book of all the informations put in, with a brief note of the matter, may be made acquainted with all informations to come in: and if he finde a precedent for the same cause, he may inform some of the Barons, that by their order the receiving of the later may be stayed without any charge to the party at all; so as it appear by the due prosecution of the former, that it is not a suite by collusion to protect the party.

Concerning

Concerning the King's benefit, which may grow by a moderate prosecution of some penal lawes.

The Abuses or Inconveniences.

I. After an information is exhibited and answered, (for so the statute requires) the Informer for the most part groweth to composition with the Defendant: which he cannot do without peril of the statute, except he have licence from the Court; which licence he ought to return by order, and course of the Court, together with a declaration upon his oath of the true summe that he takes for the composition. Upon which licence so returned, the Court is to taxe a fyne for the King.

This ought to be, but as it is now used, the licence is seldom returned. And although it contain a clause that the licence shall be void, if it be not duely returned;

The Remedies.

I. The Officer in this point is to perform his greatest service to the King, in soliciting for the King in such sort as licences be duely returned, the deceipts of these fraudulent compositions discovered, and fynes may be set for the King in some good proportion, having respect to the values both of the matter and the person: for the King's fines are not to be delivered, as moneys given by the party *ad redimendam vexationem*, but as moneys given, *ad redimendam culpam & pœnam legis*; and ought to be in such quantity, as may not make the lawes altogether trampled down and contemned. Therefore the Officer ought first to be made acquainted with every licence,

turned; yet the manner is to suggest that they are still in termes of composition, and so to obtaine new daies, and to linger it on till a Parliament and a pardon come.

Also when the licence is returned; and thereupon the Judge or Baron to fesse a fine: there is none for the King to inform them of the nature of the offence, of the value to grow to the King if the suite prevaile; of the ability of the person, and the like. By reason whereof, the fyne that is fet is but a trifle, as 20, 30, or 40 s. and it runs in a forme likewise which I do not well like: for it is *ut parcatur misis*, which purporteth, as if the party did not any way submit himself, and take the composition as of grace of the Court, but as if he did justify himself, and were content to give a trifle to avoid charge.

Which point of forme

licence, that he may have an eye to the sequel of it; Then ought he to be the person that ought to prefer unto the Judges or Barons, as well the bills for the taxations of the fynes, as the orders for giving further daies, to the end that the Court may be duely informed both of the weight of causes, and the delayes therein used: and lastly, he is to see that the fynes fessed be duely put in processe, and answered.

hath a shrewd consequence:
for it is some ground that
the fine is set too weak.

And as for the Informer's
oath touching his compo-
sition, which is commonly
a trifle, and is the other
ground of the smallness of
the fine, it is no doubt ta-
ken with an equivocation:
as taking such a summe in
name of a composition,
and some greater matter by
some indirect or collateral
mean.

Also these fynes (light as
they be) are seldom an-
swered and put in process.

2. An information goeth
on to tryal, and passeth for
the King. In this case of
recovery, the Informer will
be satisfied, and will take
his whole moiety (for that
he accounts to be no com-
position) that done, none
will be at charge to return
the *possea*, and to procure
judgment and execution for
the King. for the Informer
hath that he sought for, the
Clerks will do nothing with.

2. The officer is to fol-
low for the King, that the
Possea's be returned.

out fees paid, which there being no man to prosecute, there can be no man likewise to pay, and so the King loofeth his moiety, when his title appears by verdict.

3. It falleth out sometimes in informations of weight, and worthy to be prosecuted, the Informer dyeth, or falls to poverty, or his mouth is stopped, and yet so as no man can charge him with composition, and so the matter dyeth.

4. There be fundry seifures made, in case where the lawes give seifures, which are releafed by agreements underhand, and so money wrested from the subject, and no benefit to the King.

All seifures once made ought not to be discharged, but by order of the Court, and therefore some entry ought to be made of them.

3. The Officer in such case is to inform the King's learned Counsel, that they may prosecute if they think fit.

4. The Officer is to take knowledge of such seifures, and to give information to the Court concerning them.

This is of more difficulty, because seifures are matter in fact, whereas suites are matter of record: and it may require moe persons to be employed, as at the ports where is much abuse.

There

There be other points wherein the Officer may be of good use, which may be comprehended in his grant or instructions, wherewith I will not now trouble your Majesty, for I hold these to be the principal.

Thus have I according to your Majesty's reference certified my opinion of that part of Sir *Stephen Proctor's* projects, which concerneth penal lawes: which I do wholly and most humbly submit to your Majesty's high wisdom and judgement, wishing withal that some conference may be had by Mr. Chancellor and the Barons, and the rest of the learned Counsel, to draw the service to a better perfection. And most specially, that the travels therein taken may be considered and discerned of by the Lord Treasurer, whose care and capacity is such, as he doth always either find or choose that which is best for your Majesty's service.

The recompence unto the Gentleman, it is not my part to presume to touche, otherwise than to put your Majesty in remembrance of that proportion, which your Majesty is pleased to give to others out of the profits they bring in, and perhaps with a great deal lesse labour and charge.

A Certificate to the Lords of the Council, upon information given, touching the scarcity of silver at the Mynt, and reference to the two Chancellors, and the King's Sollicitor.

It may please your Lordships,

ACCORDING unto your Lordships letters unto us directed, grounded upon the information, which his Majesty hath received concerning the scarcity of silver at the Mynt, we have called before us as well the officers of the Mynt, as some principal Merchants, and spent two whole afternoones in the examination of the business; wherein we kept this order, first to examine the fact, then the causes, with the remedies.

And for the fact, we directed the officers of the Mynt to give unto us a distinguished accompt how much gold and silver hath yearly been brought into the Mynt, by the space of six whole yeares last past, more specially for the last three months succeeding the last proclamation touching the price of gold, to the end we mought by the sodainness of the fall, discerne whether that proclamation mought be thought the efficient cause of the present scarcity; upon which accompt it appears to us, that during the space of six years aforesaid, there hath been still degrees of decay in quantity of the silver brought to the Mynt, but yet so, as within these last three months it hath growne far beyond the proportion of the former time, in so much as there comes in now little or none at all. And yet notwithstanding it is some opinion,

opinion, as well amongst the officers of the Mynt as the Merchants, that the state need be the lesse apprehensive of this effect, because it is like to be but temporary, and neither the great flush of gold that is come into the Mynt since the proclamation, nor on the other side the great scarcity of silver, can continue in proportion as it now doeth.

Another point of the fact, which we thought fit to examine, was, whether the scarcity of silver appeared generally in the realme, or onely at the Mynt; wherein it was confessed by the Merchants, that silver is continually imported into the Realme, and is found stirring amongst the Goldsmiths, and otherwise much like as in former times, although in respect of the greater price which it hath with the Goldsmith, it cannot find the way to the Mynt: And thus much for the fact.

For the causes with the remedies, we have heard many propositions made, as well by the Lord *Knevet*, who assisted us in this conference, as by the Merchants; of which propositions few were new unto us, and much lesse can be new to your Lordships; but yet although upon former consultations, we are not unacquainted what is more or lesse likely to stand with your Lordships grounds and opinions, we thought it neverthelesse the best fruite of our diligence to set them downe in articles, that your Lordships with more ease may discard or entertaine the particulars, beginning with those which your Lordships do point at in your letters, and so descending to the rest.

The first proposition is, touching the disproportion of the price between gold and silver, which is now brought to bed, upon the pointe of fourteen to one, being before

but twelve to one. This we take to be an evident cause of scarcity of silver at the Mynt, but such a cause as will hardly receive a remedy; for either your Lordships must draw down againe the price of gold, or advance the price of silver; whereof the one is going back from that which is so lately done, and whereof you have found good effect, and the other is a thing of dangerous consequence in respect of the losse to all monyed men in their debts, gentlemen in their rents, the King in his customs, and the common subject in raising the price of things vendible. And upon this point it is fit we give your Lordships understanding what the Merchants intimated unto us, that the very voycing or suspect of the raising of the price of silver, if it be not cleared, would make such a deadness and retention of money this vacation, as (to use their own wordes) will be a misery to the Merchants, so that we were forced to use protestation, that there was no such intent.

The second proposition is, touching the charge of coynage; wherein it was confidently avouched by the Merchants, that if the coynage were brought from two shillings unto eighteen pence, as it was in Queen *Elizabeth's* time, the King should gaine more in the quantity than he should lose in the prise; and they ayded themselves with that argument, that the King had been pleased to abate his coynage in the other metal, and found good of it; which argument, though it doth admit a difference, because that abatement was coupled with the raising of the price, whereas this is to go alone, yet nevertheless it seemed the Officers of the Mynt were not unwilling to give way to some abatement, although they presumed

presumed it would be of small effect, because that abatement would not be equivalent to that price which *Spanish* silver bears with the Goldsmith; but yet it may be used as an experiment of state, being recoverable at his Majesty's pleasure.

The third proposition is, concerning the exportation of silver more than in former times, wherein we fell first upon the trade into the *East Indies*, concerning which it was materially in our opinions answered by the Merchants of that Company, that the silver which supplies that trade being generally *Spanish* moneys, would not be brought in but for that trade, so that it sucks in as well as it drawes forth. And it was added likewise, that as long as the *Low Countries* maintained that trade in the *Indies*, it would help little though our trade were dissolved, because that silver which is exported immediately by us to the *Indies*, would be drawn out of this Kingdom for the *Indies* immediately by the *Dutch*; and for the silver exported to the *Levant*, it was thought to be no great matter. As for other exportation, we saw no remedye but the execution of the lawes, specially those of employment being by some mitigation made agreeable to the times. And these three remedies are of that nature, as they serve to remove the causes of this scarcity. There were other propositions of policies and meanes, directly to drawe silver to the Mynt.

The fourth point thereof was this; It is agreed that the silver which hath heretofore fed the Mynt, principally hath been *Spanish* money. This now comes into the realme plentifully, but not into the Mynt. It was propounded in imitation of some president in *France*, that
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his Majesty would by proclamation restraine the coming in of this money *sub modo*, that is, that either it be brought to the Mynt, or otherwise to be cut and defaced, because that now it passeth in payments in a kind of currancy. To which it was colourably objected, that this would be the way to have none brought in at all, because the gaine ceasing, the importation would cease; but this objection was well answered, that it is not gaine altogether, but a necessity of speedy payment, that causeth the Merchant to bring in silver to keep his credit, and to drive his trade; so that if the King keep his fourteen days payment at the Mynt, as he always hath done, and have likewise his exchangers for those moneys in some principal parts, it is supposed that all *Spanisb* moneys, which is the bulk of silver brought into this realme would by means of such a proclamation come into the Mynt; which may be a thing considerable.

The fifth proposition was this; It was warranted by the lawes of *Spaine* to bring in silver for corne or victuals; it was propounded that his Majesty would restraine exportation of corne, *sub modo*, except they bring the silver which resulted thereof unto his Mynt, that trade being commonly so beneficial, as the Merchant may well endure the bringing of the silver to the Mynt, although it were at the charge of coynage, which it now beareth further, as incident to this matter. There was revived by the Merchants, with some instance, the ancient proportion concerning the erection of granaries for foreign corne, forasmuch as by that encrease of trade in corne, the importation of silver would likewise be multiplied.

The sixth proposition was, That upon all lycence of forbidden commodities, there shall be a rate set of silver to be brought into the Mynt, which nevertheless may seem somewhat hard, because it imposeth upon the subject, that which causeth him to incurre perill of confiscation in forreign parts. To trouble your Lordships further with discourses which we had of making forreign coynes currant, and of varying the King's standard to weighte, upon the variations in other states, and reprefing surfeit of forreign commodities, that our native commodities, surmounting the forreign, may draw in treasure by way of overplus, they be common places so well knowne to your Lordships, as it is enough to mention them onely.

There is onely one thing more, which is, to put your Lordships in mind of the extream excesse in the wasting of both metals both of gold and silver foliate, which turns the nature of these metals, which ought to be perdurable, and makes them perishable, and by consumption must be a principal cause of scarcity in them both, which we conceive may receive a speedy remedy by his Majesty's proclamation.

Lastly, we are humble suitors to your Lordships, that for any of these propositions, that your Lordships should think fit to entertaine in consultations, your Lordships would be pleased to heare them debated before your selves, as being matters of greater waight than we are able to judge of. And so craving your Lordships pardon for troubling you so long, we commend your Lordships to God's goodness.

A Frame of Declaration for the Master of the Wardes, at his first sitting.

THE King (whose vertues are such, as if wee, that are his ministers, were able duely to correspond unto them, it were enough to make a goulden tyme) hath commanded certaine of his intentions to be published, touching the administration of this place, because they are somewhat differing from the usage of former tymes, and yet not by way of novelty, but by way of reformation, and reduction of things to their auncient and true institution.

Wherein neverthelesse it is his Majesty's expresse pleasure it be signified, that he understands this to be donne, without any derogation from the memory or service of those great persons, which have formerly held this place, of whose doings his Majesty retaineth a good and gracious remembrance especially touching the sincerity of their owne myndes.

But now that his Majesty meaneth to be as it were Master of the Wardes himself, and that those that hee useth, be as his substitutes, and move wholly in his motion; hee doth expect things be carryed in a sorte worthy of his own care.

First therefore his Majesty hath had this princely consideration with himself, that as he is *Pater Patriæ*, so he is by the ancient lawe of this kingdome, *Pater Pupillorum*, where there is any tenure by knight's service of himself: which extendeth almost to all the great families noble and generous of this kingdome; and therefore

therefore being a representative father, his purpose is to imitate, and approach as neere as may be to the duties and offices of a natural father, in the good education, well bestowing in marriage, and preservation of the houses, woods, lands, and estates of his Wardes.

For as it is his Majesty direction, that that part which concerns his owne profit and right, be executed with moderation, so on the other side, it is his princely will that that other parte, which concerneth protection, be overspread and extended to the utmost.

Wherein his Majesty hath three persons in his eye, the Wardes themselves, Ideots, and the rest of like nature; the suitors in this Court, and the subjects at large.

For the first, his Majesty hath commanded speciall care be taken in the choice of the persons, to whome they be committed, that the same be found in religion, such whose houses and families are not noted for dissolute, no greedy persons, no stepmothers, nor the like, and with these qualifications of the nearest friends; nay further, his Majesty is mynded not so to delegate this trust to the Committees, but that he will have once in the yeare at the least, by persons of credit in every countye, a view and inspection taken of the persons, houses, woods, and lands of the Wards, and other persons under the protection of this Court, and certificate to be made thereof accordingly.

For the Suitors, which is the second; his Majesty's princely care, falls upon two points of reformation; the first, that there be an examination of fees, what are due and auneynt, and what are new and exacted; and those

of the latter kind put downe: the other, that the Court do not entertaine causes too long upon continuances of lyveries after the parties are come of full age, which serveth but to waste the parties in suite considering the decrees cannot be perpetual, but temporary; and therefore controversies here handled, are seldom put in peace, till they have past a tryall and decision in other courtes.

For the third, which is the Subject at large; his Majesty hath taken into his princely care, the unnecessary vexations of his people by feodaries, and other inferior ministers of like nature, by color of his tenures; of which part I say nothing for the present, because the parties whom it concernes, are for the most part absent: but order shall be given, that they shall give their attendance the last day of the terme, then to understand further his Majesty's gracious pleasure.

Thus much by his Majesty's commandment; now we may proceed to the business of the Court.

Directions for the Master of the Wardes, to observe for his Majesty's better service, and the general good.

FIRST, that he take an accompte how his Majesty's last instructions have been pursued; and of the encrease of benefit accrued to his Majesty thereby, and the proportion thereof.

Wherein first in general it will be good to cast up a year's benefite, *viz.* from *February* 1610, which is the date of the instructions under the great Seale, to *February* 1611, and to compare the totall with former yeares before the instructions, that the tree may appeare by the fruite, and it may be seen how much his Majesty's profit is redoubled or encreased by that course.

Secondly, It will not be amisse to compute not onely the yearly benefit, but the number of wardships graunted that yeare, and to compare that with the number of former years; for though the number be a thing casual, yet if it be apparently lesse than in former yeares, then it may be justly doubted, that men take advantage upon the last clause in the instructions (of exceptions of Wards concealed) to practise delays and mis-finding of offices, which is a thing most dangerous.

Thirdly, In particular it behooveth to peruse and review the bargaines made, and to consider the rates, (men's estates being things, which for the most part cannot be hidde) and thereby to discern what improvements and good husbandry hath been used, and how much the King

hath more now when the whole benefit is supposed to goe to him, than he had when three parts of the benefit went to the Committee.

Fourthly, It is requisite to take consideration what commissions have been granted for copyholds for lives, which are excepted by the instructions from being leased, and what profit hath been raised thereby.

Thus much for the time past, and upon viewe of these accompts, *res dabit consilium*, for further order to be taken.

For the time to come, first it is fit that the Master of the Wardes, being a meaner person, be usually present as well at the treaty and beating of the bargaine, as at the concluding; and that he take not the business by reporte.

Secondly, When suite is made, the information by survey and commission is but one image, but the way were by private diligence to be really informed: Neither is it hard for a person that liveth in an inne of Court, where there be understanding men of every county of *England*, to obtaine by care certaine information.

Thirdly, This kind of promise of preferring the next a kynne, doth much obscure the information, which before by competition of divers did better appeare, and therefore it may be necessary for the Master of the Wardes sometimes to direct letters to some persons neare the Warde living, and to take certificate from them; it being alwayes intended the subject be not racked too

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high, and that the nearest friends that be found in religion, and like to give the Warde good education, be preferred.

Fourthly, That it be examined carefully whether the Wardes revenues consist of copyholdes for lives, which are not to be comprised in the lease, and that there be no neglect to graunt commissions for the same, and that the Master take order to be certified of the profits of former Courts held by the Wardes ancestor, that it may be a president and direction for the Commissioners.

Fifthly, That the Master make accompt every six months (the state appoints one in the yeare) to his Majesty; and that when he bringeth the bill of graunts of the body for his Majesty's signature, he bringeth a schedule of the truth of the state of every one of them, (as it hath appeared to him by information) and acquaint his Majesty both with the rates and states.

Thus much concerning the improvement of the King's profit, which concerneth the King as *Pater familias*, now as *Pater Patriæ*.

First for the Wardes themselves, that there be special care taken in the choise of the Committee, that he be found in religion, his house and family not dissolute, no greedy person, no stepmother, nor the like.

Further, that there be letters written once every year to certaine principal Gentlemen of credit in every countrey, to take view not onely of the person of the Wardes in every county, and their education; but of their houses, woods, grounds, and estate; and the same to certifie that the

the Committees may be held in some awe, and that the blessing of the poor orphans and the pupills may come upon his Majesty and his children.

Secondly, for the Suitors; that there be a straight examination concerning the rayfing and multiplication of fees in that Court, which is much scandalized with opinion thereof, and all exacted fees put downe.

Thirdly, for the Subjects at large; that the vexation of escheators and feodaries be repressed, which (upon no substantial ground of record) vex the countrey with inquisitions and other extortions: and for that purpose that there be one set day at the end of every term appointed for examining the abuses of such inferior Officers, and that the Master of Wardes take special care to receive private information from Gentlemen of quality and conscience, in every shire touching the same.



S O M E
P H I L O S O P H I C A L P I E C E S
O F T H E
L o r d *B A C O N*.



THE UNIVERSITY OF CHICAGO PRESS

1914

PHILOSOPHICAL PRICES

OF THE

LORD BACON

OF VERULAM

Mr. *BACON*

I N

Prayse of Knowledge.

SILENCE were the best celebration of that, which I meane to commend, for who would not use sylence, where sylence ys not made, and what cryer canne make sylence in such a noyse and tumulte of vaine and popular opinions? My prayse shalbe dedycated to the minde yt selfe. the minde ys the man, and the knowledge of the minde. a man is but what he knoweth. The minde yt selfe ys but an accident to knowledge; for knowledge ys a dowble of that which ys. The truth of being, and the truth of knowing, ys all one. And the pleasures of the affectyons greater than the pleasures of the senses. And are not the pleasures of the intellect greater than the pleasures of the affectyons? Is yt not a trew and only naturall pleasure, whereof there ys noe facyetie? Is yt not knowledge that doth alone cleere the minde of all perturbations? How manie things are there which wee imagine not? how manie things doe wee esteeme and valew otherwyse than they are? This yll proportioned estimatyon, these vaine imaginatyons, these be the

E e e clouds

clouds of error that turne into the stormes of perturbation. Is there anie such happines as for a man's minde to be rayfed above the confusyon of things; where he maye have the prospect of the order of nature, and the error of men? Is this but a vayne only of delyght, and not of discoverye: of contentment, and not of benefytt? Shall he not aswell dyscerne the ryches of natures warehowse, as the benefytt of her shopp? Is truth ever barren? Shall he not be able thereby to produce worthy effects: and to indowe the lyfe of man with infinite comodities? But shall I make this garland to be putt upon a wronge head? would anie bodie beleve me yf I should veresye this, upon the knowledge that ys nowe in use? are wee the rycher by one poore invention, by reason of all the learning that hath bene these manie hundred yeares? The industrie of artyfycers maketh some small improvement of thinges invented; and chance sometimes in experimenting, maketh us to stumble upon somewhat which is newe: But all the dysputation of the learned never brought to light one effect of nature before unknowen. When thinges are knowen and fownd out, then they canne descant upon them, they canne knitt them into certaine causes, they canne reduce them to their princyples. If anie instance of experyence stand against them, they canne range yt in order by some distinctions. But all this ys but a webbe of the wytte, yt canne worke nothinge. I doe not dowbt but that comon notyons which wee call reason, and the knitting of them together, which wee call logicke, are the arte of reason and studyes. But they rather caste obscuritytie, than gaine light to the contemplatyon of nature. All the philosophy

phy of nature which is now receyved, ys eyther the philosophye of the *Grecyans*, or that other of the Alchumistes. That of the *Grecyans* hath the foundation in wordes, in ostentation, in confutation, in sects, in scooles, in disputatyons. The *Grecyans* were (as one of themselves fayeth) *Yow Grecyans ever children*. They knewe lyttle antyquitie; they knewe (except fables) not much above fyve hundreth yeares before themselves. They knewe but a small portyon of the worlde. That of the Alchumistes hath the foundatyon in imposture, in auricular tradytions and obscuritie. Yt was catching hold of religion, but the principle of yt is, *Populus vult decipi*. So that I knowe noe great dyference betwene these great philosophers, but that the one ys a lowde crying follye, and the other is a whyspering follye. The one ys gathered out of a fewe vulgar observations, and the other out of a fewe experiments of a furnace. The one never fayleth to multiplie wordes, and the other ever fayleth to multiplie gold. Who would not smile at *Aristotle*, when he admireth the eternitie and invariableness of the heavens, as there were not the lyke in the bowells of the earth? Those be the confines and borders of these two kingdomes, where the continuall alteration and incurfion are. The superficies and upper partes of the earth are full of varyetyes. The superficies and lower partes of the heavens (which wee call the middle region of the ayre) ys full of varyetie. There ys much spiryt in the one parte that cannot be brought into masse. There ys much massy bodye, in the other place that cannot be refined to spiryt. The comon ayre ys as the waste grownd betwene the borders. Who would not smile at the Astronomers, I meane not

these fewe carremen which dryve the earth abowte, but the auncient Astronomers, which fayne the moone to be the swyftest of the planetes in motyon, and the rest in order, the hygher the slower; and soe are compelled to imagine a dowble motyon: whereas howe evydent ys yt, that that which they call a contrarye motyon, is but an abatement of motyon? The fixed starres overgoe *Saturne*, and soe in them and the rest all ys but one motyon, and the neerer the earth the slower. A motyon also whereof ayre and water doe participate, though much interrupted. But why doe I in a conference of pleasure enter into these great matters, in sorte that pretending to knowe much I should forgett what ys seasonable? pardon me, yt was because all thinges maye be indowed and adorned with speaches, but knowledge yt selfe ys more beautifull than anie apparrell of wordes that canne be putt uppon yt. And lett not me seeme arrogant without respect to these great reputed authors. Lett me soe give everye man his dewe, as I give time his due, which ys to dyscover truth. Manie of theise men had greater wittes, farre above mine owne, and soe are manie in the Universtytes of *Europe* at this daye. But alas, they learne nothing there but to beleve: fyrst to beleve that others knowe that which they knowe not; and after themselves knowe that which they knowe not. But indeed facilitye to beleve, impatience to dowbte, temerytie to answere, glorie to knowe, dowbte to contradycte, ende to gaine, slothe to searche, seeking thinges in woordes, resting in parte of nature; these and the like have bene the thinges which have forbydden the happye matche betwene the minde of man, and the nature of thinges: and

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in place thereof have married yt to vaine notyons, and blinde experiments: And what the posteritye and yssue of soe honorable a matche maye be, it is not hard to consider. Printing, a grosse inventyon; Artyllerye, a thinge that laye not farre out of the waye; the Needle, a thinge partly knowen before: what a change have these three made in the worlde in these times, the one in state of learninge, the other in state of the warre, the third in the state of treasure, comodities and navigation? and those I saye were but stumbled upon and lighted upon by chance. Therefore, noe dowbt the soveraintie of man lyeth hid in knowledge; wherein manie thinges are reserved, which Kinges with their treasure cannot buye, nor with their force comaunde; their spyalles and intelligencers canne give noe newes of them, their seamen and discoverers cannot sayle where they growe: Nowe wee governe Nature in opinions, but we are thrall unto her in necessity: but yf wee would be ledd by her in inventyon, wee should comaund her in actyon.

VALERIUS TERMINUS

OF THE

Interpretation of Nature ;

With the ANNOTATIONS OF

HERMES STELLA.

A few fragments of the first book, viz.

1. The first chapter entire, *Of the ends and limits of knowledge.*
2. A portion of the 11th chapter, *Of the Scale.*
3. A small portion of the 9th chapter, *being an inducement to the Inventory.*
4. A small portion of the 10th chapter, *being the preface to the Inventory.*
5. A small portion of the 10th chapter, *being a preface to the inward Elenches of the mind.*
6. A small portion of the 4th chapter, *Of the impediments of knowledge in general.*
7. A small portion of the 5th chapter, *Of the diversion of wits.*
8. The 6th chapter intire.
9. A portion of the 7th chapter.
10. The 8th chapter intire.
11. Another portion of the 9th chapter.

12. The

12. The abridgment of the 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 21st, 22^d, 25th and 26th chapters of the first book.
13. The first chapter of a book of the same argument, written in *Latin*, and destined to be separate and not publick.

None of the annotations of *Stella* are set down in these fragments.

Cap. I. *Of the limits and end of knowledge.*

IN the divine nature ; both religion and philosophy hath acknowledged goodness in perfection, science or providence comprehending all things, and absolute soveraigntie or kingdom. In aspiring to the throne of power, the Angels transgressed and fell ; in presuming to come within the Oracle of knowledge, Man transgressed and fell ; but in pursuit towards the similitude of God's goodness or love (which is one thing, for love is nothing else but goodness put in motion or applied) neither Man or Spirit ever hath transgressed, or shall transgress.

The Angel of light that was, when he presumed before his fall, said within himself, *I will ascend and be like unto the Highest* ; not God, but the Highest. To be like to God in goodness, was no part of his emulation : knowledge being in creation an Angel of light, was not the want which did most sollicit him ; only because he

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Of the Interpretation

was a minister he aimed at a supremacy; therefore his climbing or ascension was turned into a throwing down or precipitation.

Man on the other side, when he was tempted before he fell, had offered unto him this suggestion, *That he should be like unto God*. But how? not simply, but in this part, *knowing good and evil*. For being in his creation invested with sovereignty of all inferiour creatures, he was not needy of power or dominion. but again, being a spirit newly enclosed in a body of earth, he was fittest to be allured with appetite of light and liberty of knowledge. therefore this approaching and intruding into God's secrets and mysteries, was rewarded with a further removing and estranging from God's presence. But as to the goodness of God, there is no danger in contending or advancing towards a similitude thereof; as that which is open and propounded to our imitation. For that voice (whereof the Heathen and all other errors of religion have ever confessed that it sounds not like man) *Love your enemies; be you like unto your heavenly father, that suffereth his rain to fall both upon the just and the unjust*, doth well declare, that we can in that point commit no excess. so again we find it often repeated in the old law, *Be you holy as I am holy*; and what is holiness else but goodness, as we consider it separate, and guarded from all mixture, and all excess of evil?

Wherefore seeing that knowledge is of the number of those things which are to be accepted of with caution and distinction; being now to open a fountain, such as it is not easy to discern where the issues and streams thereof will take and fall; I thought it good and neces-

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fary in the first place, to make a strong and sound head or bank to rule and guide the course of the waters; by setting down this position or firmament, namely, *That all knowledge is to be limited by religion, and to be referred to use and action.*

For if any man shall think by view and enquiry into these sensible and material things, to attain to any light for the revealing of the nature or will of God; he shall dangerously abuse himself. It is true, that the contemplation of the creatures of God hath for end (as to the natures of the creatures themselves) knowledge; but as to the nature of God, no knowledge, but wonder; which is nothing else but contemplation broken off, or loosing it self. Nay further, as it was aptly said by one of *Plato's* school, *The sense of man resembleth the sunne, which openeth and revealeth the terrestrial globe, but obscureth and concealeth the celestial;* so doth the sense discover natural things, but darken and shut up divine; and this appeareth sufficiently in that there is no proceeding in invention of knowledge, but by similitude; and God is only self-like, having nothing in common with any creature, otherwise than as in shadow and trope. Therefore attend his will as himself openeth it, and give unto faith that which unto faith belongeth; for more worthy it is to believe than to think or know, considering that in knowledge (as we now are capable of it) the mind suffereth from inferior natures; but in all belief it suffereth from a spirit which it holdeth superior, and more authorized than it self.

To conclude, the prejudice hath been infinite, that both divine and human knowledge hath received by the

Of the Interpretation

intermingling and tempering of the one with the other; as that which hath filled the one full of heresies, and the other full of speculative fictions and vanities.

But now there are again, which in a contrary extremity to those which give to contemplation an overlarge scope, do offer too great a restraint to natural and lawful knowledge; being unjustly jealous that every reach and depth of knowledge wherewith their conceits have not been acquainted, should be too high an elevation of man's wit, and a searching and ravelling too far into God's secrets; an opinion that ariseth either of envy (which is proud weakness, and to be censured and not confuted) or else of a deceitful simplicity. For if they mean that the ignorance of a second cause doth make men more devoutly to depend upon the providence of God, as supposing the effects to come immediately from his hand: I demand of them, as *Job* demanded of his friends, *Will you lie for God, as man will for man to gratifie him?* But if any man, without any sinister humour, doth indeed make doubt that this digging further and further into the mine of natural knowledge, is a thing without example, and uncommended in the scriptures, or fruitless; let him remember and be instructed: for behold it was not that pure light of natural knowledge, whereby man in paradise was able to give unto every living creature a name according to his propriety which gave occasion to the fall; but it was an aspiring desire to attain to that part of moral knowledge, which defineth of good and evil, whereby to dispute God's commandments, and not to depend upon the revelation of his will, which was the original temptation. And the
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first holy records which within those brief memorials of things which passed before the flood, entered few things as worthy to be registred, but only linages and propagations, yet nevertheless honour the remembrance of the inventor both of musique and works in metal. *Moses* again (who was the reporter) is said to have been seen in all the *Egyptian* learning, which nation was early and leading in matter of knowledge. And *Solomon* the King, as out of a branch of his wisdom extraordinarily petitioned and granted from God, is said to have written a natural history of all that is green, from the Cedar to the Moss (which is but a rudiment between putrefaction and an herb) and also of all that liveth and moveth. And if the book of *Job* be turned over, it will be found to have much asperision of natural philosophy. Nay the same *Solomon* the King affirmeth directly, that the glory of God is to conceal a thing, but the glory of the King is to find it out, as if according to the innocent play of children, the divine Majesty took delight to hide his works, to the end to have them found out; for in naming the King he intendeth man, taking such a condition of man as hath most excellency and greatest commandment of wits and means, alluding also to his own person, being truly one of those clearest burning lamps, whereof himself speaketh in another place, when he saith, *The spirit of man is as the lamp of God, wherewith he searcheth all inwardness*; which nature of the soul the same *Solomon* holding precious and inestimable, and therein conspiring with the affection of *Socrates*, who scorned the pretended learned men of his time for raising great benefit of their learning (whereas *Anaxa-*

goras contrarywise, and divers others being born to ample patrimonies decayed them in contemplation) delivereth it in precepte yet remaining, *Buy the truth and sell it not*; and so of wisdom and knowledge.

And lest any man should retain a scruple, as if this thirst of knowledge were rather an humour of the mind, than an emptyness or want in nature and an instinct from God; the same authour defineth of it fully, saying, *God hath made every thing in beauty according to season; also he hath set the world in man's heart, yet can he not find out the work which God worketh from the beginning to the end*, declaring not obscurely that God hath framed the mind of man as a glass, capable of the image of the universal world, joying to receive the signature thereof, as the eye is of light; yea, not only satisfied in beholding the variety of things, and vicissitude of times, but raised also to find out and discern those ordinances and decrees, which throughout all these changes are infallibly observed. And although the highest generality of motion, or summary law of nature, God should still reserve within his own curtain; yet many and noble are the inferior and secondary operations which are within man's founding. This is a thing which I cannot tell whether I may so plainly speak as truly conceive, that as all knowledge appeareth to be a plant of God's own planting, so it may seem the spreading and flourishing, or at least the bearing and fructifying of this plant, by a providence of God, nay, not only by a general providence, but by a special prophecy, was appointed to this autumn of the world: for to my understanding, it is not violent to the letter, and safe now after the event, so to interpret that
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place in the prophecy of *Daniel*, where speaking of the latter times, it is said, *Many shall pass to and fro, and science shall be encreased*; as if the opening of the world by navigation and commerce, and the further discovery of knowledge should meet in one time or age.

But howsoever that be, there are besides the authorities of scriptures before recited, two reasons of exceeding great weight and force, why religion should dearly protect all encrease of natural knowledge: the one, because it leadeth to the greater exaltation of the glory of God; for as the psalmes and other scriptures do often invite us to consider, and to magnifie the great and wonderful works of God; so if we should rest only in the contemplation of those shews which first offer themselves to our senses, we should do a like injury to the majesty of God, as if we should judge of the store of some excellent Jeweller, by that only which is set out to the street in his shop. the other reason is, because it is a singular help and a preservative against unbelief and error: For saith our Saviour, *You erre, not knowing the scriptures, nor the power of God*; laying before us two books or volumes to study, if we will be secured from error; first, the scriptures revealing the will of God, and then the creatures expressing his power; for that latter book will certify us, that nothing which the first teacheth shall be thought impossible. And most sure it is, and a true conclusion of experience, that a little natural Philosophy inclineth the mind to Atheism, but a further proceeding bringeth the mind back to Religion.

To conclude then, let no man presume to check the liberality of God's giftes, who as was said, *Hath set the world*

Of the Interpretation

world in man's heart. So as whatsoever is not God, but parcel of the world, he hath fitted it to the comprehension of man's mind, if man will open and dilate the powers of his understanding as he may.

But yet evermore it must be remembred, that the least part of knowledge passed to man by this so large a charter from God, must be subject to that use for which God hath granted it, which is the benefit and relief of the state and society of man; for otherwise all manner of knowledge becometh maligne and serpentine, and therefore as carrying the quality of the serpent's sting and malice, it maketh the mind of man to swell; as the scripture saith excellently, *Knowledge bloweth up, but Charity buildeth up.* And again, the same author doth notably disavow both power and knowledge, such as is not dedicated to goodness or love; for saith he, *If I have all faith so as I could remove mountains* (there is power active) *if I render my body to the fire* (there is power passive) *if I speak with the tongues of men and angels,* (there is knowledge, for language is but the conveyance of knowledge) *all were nothing.*

And therefore it is not the pleasure of curiosity, nor the quiet of resolution, nor the raising of the spirit, nor victory of wit, nor faculty of speech, nor lucre of profession, nor ambition of honour or fame, or inablement for business, that are the true ends of knowledge; some of these being more worthy than other, though all inferior and degenerate: But it is a restitution and reinvesting (in great part) of man to the sovereignty and power, (for whensoever he shall be able to call the creatures by their true names, he shall again command them) which

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he had in his first state of creation. And to speak plainly and clearly, it is a discovery of all operations and possibilities of operations from immortality (if it were possible) to the meanest mechanical practice. And therefore knowledge, that tendeth but to satisfaction, is but as a courtesan, which is for pleasure and not for fruit or generation. And knowledge that tendeth to profit or profession, or glory, is but as the golden ball thrown before *Atalanta*; which while she goeth aside, and stoopeth to take up, she hindereth the race. and knowledge referred to some particular point of use, is but as *Harmodius*, which putteth down one tyrant: and not like *Hercules*, who did perambulate the world to suppress tyrants and giants and monsters in every part.

It is true, that in two points the curse is peremptory, and not to be removed: the one, that vanity must be the end in all human effects; Eternity being resumed, though the revolutions and periods may be delayed. The other, that the consent of the creature being now turned into reluctance, this power cannot otherwise be exercised and administered but with labour, as well in inventing as in executing; yet nevertheless chiefly that labour and travel, which is described by the sweat of the brows, more than of the body; that is, such travel as is joyned with the working and discursion of the spirits in the brain: for as *Solomon* saith excellently, *The fool putteth to more strength, but the wiseman considereth which way*; signifying the election of the meane to be more material than the multiplication of endeavour. It is true also, that there is a limitation rather potential than actual, which is when the effect is possible, but the time or place yieldeth.

eth not the matter or *basis* whereupon man should work. But notwithstanding these precincts and bounds, let it be believed, and appeal thereof made to time, (with renunciation nevertheless to all the vain and abusing promises of *Alchymists* and *Magicians*, and such like light, idle, ignorant, credulous and fantastical wits and sects) that the new found world of land was not greater addition to the antient continent, then there remaineth at this day a world of inventions and sciences unknown, having respect to those that are known, with this difference, that the antient regions of knowledge will seem as barbarous compared with the new; as the new regions of people seem barbarous, compared to many of the old.

The dignity of this end (of endowment of man's life with new commodities) appeareth by the estimation that antiquity made of such as guided thereunto; for whereas founders of states, lawgivers, extirpers of tyrants, fathers of the people, were honoured but with the titles of Worthies or Demigods, inventors were ever consecrated amongst the Gods themselves. And if the ordinary ambitions of men lead them to seek the amplification of their own power in their countries, and a better ambition than that hath moved men to seek the amplification of the power of their own countries amongst other nations; better again and more worthy must that aspiring be, which seeketh the amplification of the power and kingdom of mankind over the world: the rather, because the other two prosecutions are ever culpable of much perturbation and injustice; but this as a work truly divine, which cometh in *aura leni*, without noise or observation.

The access also to this work hath been by that port or passage, which the divine Majesty (who is unchangeable in his ways) doth infallibly continue and observe; that is, the felicity wherewith he hath blessed an humility of mind, such as rather laboureth to spell, and so by degrees to read in the volumes of his creatures, than to solicit and urge, and as it were to invoke a man's own spirit to divine, and give oracles unto him. for as in the inquiry of divine truth, the pride of man hath ever inclined to leave the oracles of God's word, and to vanish in the mixture of their own inventions; so in the self-same manner in inquisition of nature, they have ever left the oracles of God's works, and adored the deceiving and deformed imagery, which the unequal mirrours of their own minds have represented unto them. Nay it is a point fit and necessary in the front, and beginning of this work, without hesitation or reservation to be professed, that it is no less true in this humane kingdom of knowledge, than in God's kingdom of heaven, that no man shall enter into it, *except he become first as a little child.*

The chapter immediately following the Inventory; being the 11th in order, a part thereof.

IT appeareth then what is now in proposition, not by general circumlocution, but by particular note, no former philosophy varied in terms or method; no new *placet* or speculation upon particulars already known; no referring to action, by any manual of practice; but

the revealing and discovering of new inventions and operations. This to be done without the errors and conjectures of art, or the length or difficulties of experience; the nature and kinds of which inventions have been described as they could be discovered; for your eye cannot pass one kenning without further failing; only we have stood upon the best advantages of the notions received, as upon a mount, to shew the knowledges adjacent and confining. If therefore the true end of knowledge, not propounded, hath bred large error, the best and perfectest condition of the same end, not perceived, will cause some declination. for when the butt is set up, men need not rove, but except the white be placed, men cannot level. This perfection we mean, not in the worth of the effects, but in the nature of the direction, for our purpose is not to stir up mens hopes, but to guide their travels. The fullness of direction to work, and produce any effect, consisteth in two conditions, certainty and liberty. Certainty is, when the direction is not only true for the most part, but infallible. Liberty is, when the direction is not restrained to some definite means, but comprehendeth all the means and ways possible; for the Poet saith well, *Sapientibus undique latæ sunt viæ*; and where there is the greatest plurality of change, there is the greatest singularity of choise. Besides, as a conjectural direction maketh a casual effect, so a particular and restrained direction is no less casual than uncertain. for those particular means whereunto it is tyed, may be out of your power, or may be accompanied with an over-value of prejudice; and so if for want of certainty in direction, you are frustrated in success, for want of variety

in direction, you are stopped in attempt. If therefore your direction be certain, it must refer you, and point you to somewhat, which if it be present, the effect you seek will of necessity follow, else may you perform and not obtain. If it be free, then must it refer you to somewhat, which if it be absent, the effect you seek will of necessity withdraw, else may you have power and not attempt. This notion *Aristotle* had in light, though not in use. for the two commended rules by him set down, whereby the axioms of Sciences are precepted to be made convertible, and which the latter men have not without elegancy surnamed; the one the rule of truth, because it preventeth deceit; the other the rule of prudence, because it freeth election, are the same thing in speculation and affirmation, which we now observe. An example will make my meaning attained, and yet percase make it thought that they attained it not. Let the effect to be produced be whiteness; let the first direction be, that if air and water be intermingled, or broken in small portions together, whiteness will ensue; as in snow, in the breaking of the waves of the sea and rivers, and the like. This direction is certain, but very particular; and restrained, being tyed but to air and water. Let the second direction be, that if air be mingled as before with any transparent body, such nevertheless as is uncoloured and more grossly transparent than air it self, that then, &c. as glass or crystal, being beaten to fine powder, by the interposition of the air becometh white; the whyte of an egg, being clear of it self, receiving air by agitation, becometh white, receiving air by concoction, becometh white; here you are freed from water, and advanced to

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a clear body, and still tyed to air. Let the third direction exclude or remove the restraint of an uncoloured body, as in amber, sapphires, &c. which beaten to fine powder, become white in wine and beer; which brought to froth, become white. Let the fourth direction exclude the restraint of a body more grossly transparent than air, as in flame, being a body compounded between air and a finer substance than air, which flame, if it were not for the smoak, which is the third substance that incorporateth it self and dyeth, the flame would be more perfect white. In all these four directions, air still beareth a part. Let the fifth direction then be, that if any bodies, both transparent, but in an unequal degree, be mingled as before, whiteness will follow: as oyl and water beaten to an oyntment, though by settling, the air which gathereth in the agitation be evaporate, yet remaineth white; and the powder of glasse or Crystal, put into water, whereby the air giveth place, yet remaineth white, though not so perfect. Now are you freed from air, but still you are tyed to transparent bodies. To ascend further by scale I do forbear, partly because it would draw on the example to an over great length, but chiefly because it would open that which in this work I determine to reserve; for to pass through the whole history and observation of colours and objects visible, were too long a digression; and our purpose is now to give an example of a free direction, thereby to distinguish and describe it; and not to set down a form of interpretation how to recover and attain it. But as we intend not now to reveal, so we are circumspect not to mislead; and therefore (this warning being given) returning

turning to our purpose in hand, we admit the sixth direction to be, that all bodies, or parts of bodies, which are unequal equally, that is, in a simple proportion, do represent whiteness; we will explain this, though we induce it not. It is then to be understood, that absolute equality produceth transparence, inequality in simple order or proportion produceth whiteness, inequality in compound or respective order or proportion produceth other colours, and absolute or orderless inequality produceth blackness; which diversity, if so gross a demonstration be needful, may be signified by four tables; a blank, a chequer, a fret, and a medley; whereof the fret is evident to admit great variety. Out of this assertion are satisfied a multitude of effects and observations, as that whiteness and blackness are most incompatible with transparence; that whiteness keepeth light, and blackness stoppeth light, but neither passeth it; that whiteness or blackness are never produced in Rainbows, Diamonds, Crystals, and the like; that white giveth no dye, and black hardly taketh dye; that whiteness seemeth to have an affinity with dryness; and blackness with moisture; that adustion causeth blackness; and calcination whiteness; that flowers are generally of fresh colours, and rarely black, &c. all which I do now mention confusedly by way of derivation, and not by way of induction. This sixth direction, which I have thus explained, is of good and competent liberty, for whiteness fixed and inherent; but not for whiteness fantastical, or appearing, as shall be afterwards touched. But first do you need a reduction back to certainty or verity? for it is not all position or contexture of unequal bodies that will produce

produce colours; for *Aqua fortis*, oyl of *Vitriol*, &c. more manifestly, and many other substances more obscurely, do consist of very unequal parts, which yet are transparent and clear. Therefore the reduction must be, that the bodies or parts of bodies so intermingled as before, be of a certain grossness or magnitude; for the unequalities which move the sight must have a further dimension and quantity, than those which operate many other effects. Some few grains of saffron will give a tincture to a tunn of water, but so many grains of civet will give a perfume to a whole chamber of air. And therefore when *Democritus* (from whom *Epicurus* did borrow it) held that the position of the solid portions was the cause of colours; yet in the very truth of this assertion he should have added, that the portions are required to be of some magnitude. And this is one cause why colours have little inwardness, and necessity with the nature and proprieties of things, those things resembling in colour, which otherwise differ most, as salt and sugar; and contrarywise differing in colour, which otherwise resemble most, as the white and blue violets, and the several veins of one *Agate* or *Marble*, by reason that other virtues consist in more subtile proportions then colours do; and yet are their virtues and natures, which require a grosser magnitude than colours, as well as scents and divers other require a more subtile; for as the portion of a body will give forth scent, which is too small to be seen, so the portion of a body will shew colours, which is too small to be endued with weight; and therefore one of the prophets with great elegancy describing how all creatures carry no proportion towards God the Creator, saith,

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That all the nations in respect of him are like the dust upon the ballance, which is a thing appeareth, but weigheth not. But to return, there resteth a further freeing of this sixth direction; for the clearness of a river or stream sheweth white at a distance, and crystalline glasses deliver the face or any other object falsified in whiteness, and long beholding the snow, to a weak eye, giveth an impression of azure, rather than of whiteness. So as for whiteness in apparition only, and representation, by the qualifying of the light, altering the *intermedium*, or affecting the eye it self, it reacheth not. But you must free your direction to the producing of such an incidence, impression or operation, as may cause a precise and determinate passion of the eye, a matter which is much more easy to induce than that which we have past through; but yet because it hath a full coherence both with that act of radiation (which hath hitherto been conceived and termed so improperly and untruly, by some an effluence of spiritual species, and by others an investing of the *intermedium*, with a motion which successively is conveyed to the eye;) and with the act of sense, wherein I should likewise open that which I think good to withdraw, I will omit. Neither do I contend, but that this notion, which I call the freeing of a direction in the received philosophies, as far as a swimming anticipation could take hold, might be perceived and discerned; being not much other matter, than that which they did not only aim at in the two rules of axioms before remembred, but more nearly also than that which they term the form or formal cause, or that which they call the true difference; both which nevertheless

theless it seemeth they propound rather as impossibilities and wishes, then as things within the compass of human comprehension; for *Plato* casteth his burden, and saith, *That he will revere him as a God, that can truly divide and define*; which cannot be but by true forms and differences, wherein I joyn hands with him, confessing as much, as yet assuming to my self little; for if any man can, by the strength of his anticipations, find out forms, I will magnify him with the foremost. But as any of them would say, that if divers things, which many men know by instruction and observation, another knew by revelation, and without those means they would take him for somewhat supernatural and divine; so I do acknowledge, that if any man can by anticipations reach to that which a weak and inferior wit may attain to by interpretation, he cannot receive too high a title. Nay I for my part do indeed admire to see how far some of them have proceeded by their anticipations; but how? it is as I wonder at some blind men to see what shift they make without their eyesight; thinking with my self that if I were blind I could hardly do it. Again, *Aristotle's* school confesseth, That there is no true knowledge but by causes, no true cause but the form, no true form known except one, which they are pleased to allow; and therefore thus far their evidence standeth with us, that both hitherto there hath been nothing but a shadow of knowledge, and that we propound now that which is agreed to be worthiest to be sought, and hardest to be found, there wanteth now a part very necessary, not by way of supply, but by way of caution; for as it is seen for the most part, that the outward tokens and badge of excel-

lency and perfection are more incident to things meerly counterfeit, than to that which is true, but for a meaner and baser sort; as a Dubline is more like a perfect Ruby than a Spinel, and a counterfeit Angel is made more like a true Angel, than if it were an Angel coyned of *China* gold. In like manner, the direction carryeth a resemblance of a true direction in verity and liberty, which indeed is no direction at all. for though your direction seem to be certain and free, by pointing you to nature that is unseparable from the nature you enquire upon; yet if it do not carry you on a degree or remove nearer to action, operation or light, to make or produce, it is but superficial and counterfeit; wherefore to secure and warrant what is a true direction, though that general note I have given be perspicuous in it self (for a man shall soon cast with himself whether he be ever the near to effect and operate or no, or whether he have won but an abstract or varied notion) yet for better instruction, I will deliver three particular notes of caution. The first is, that the nature discovered be more original than the nature supposed, and not more secondary, or of the like degree; as to make a stone bright, or to make it smooth, it is a good direction to say, make it even; but to make a stone even, it is no good direction to say, make it bright, or make it smooth; for the rule is, that the disposition of any thing referring to the state of it in it self, or the parts, is more original than that which is relative or transitive towards another thing.

So evenness is the disposition of the stone in it self, but smooth is to the hand and bright to the eye, and yet

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nevertheless they all cluster and concur ; and yet the direction is more unperfect, if it do appoint you to such a relative, as is in the same kind, and not in a diverse. for in the direction, to produce brightness by smoothness, although properly it win no degree, and will never teach you any new particulars before unknown, yet by way of suggestion, or bringing to mind, it may draw your consideration to some particulars known but not remembered ; as you shall sooner remember some practical means of making smoothness, than if you had fixed your consideration only upon brightness ; but if the direction had been to make brightness, by making reflexion as thus, make it such as you may see your face in it ; this is meerly secondary, and helpeth neither by way of informing, nor by way of suggesting. So if in the enquiry of whiteness you were directed to make such a colour as should be seen furthest in a dark light ; here you are advanced nothing at all. for these kinds of natures are but proprieties, effects, circumstances, concurrences, or what else you will like to call them, and not radical and formative natures towards the nature supposed. The second caution is, that the nature inquired be collected by division before composition, or to speak more properly by composition subaltern, before you ascend to composition absolute, &c.

A part of the 9th chapter, immediately precedent to the Inventory, and inducing the same.

BUT yet nevertheless here I may be mistaken, by reason of some which have much in their pen the referring sciences to action and the use of man, which mean quite another matter than I do. for they mean a contriving of directions, and precepts for readiness of practise, which I discommend not, so it be not occasion that some quantity of the science be lost; for else it will be such a piece of husbandry, as to put away a man-nour lying somewhat scattered, to buy in a close that lyeth handsomely about a dwelling. But my intention contrarywise is to encrease and multiply the revenues and possessions of man, and not to trim up only, or order with conveniency the grounds whereof he is already stated; wherefore the better to make my self understood, that I mean nothing less than words, and directly to demonstrate the point which we are now upon, that is, what is the true end, scope, or office of knowledge, which I have set down to consist not in any plausible, delectable, reverend or admired discourse, or any satisfactory arguments, but in effecting and working, and in discovery of particulars not revealed before, for the better indowment and help of man's life; I have thought good to make, as it were, a Kalendar or Inventory of the wealth, furniture, or means of man, according to his present estate, as far as it is known; which I do not to shew any universality of sence or knowledge, and much

less to make a satyr of reprehension in respect of wants and errors, but partly because cogitations new had need of some grossness and inculcation to make them perceived, and chiefly to the end, that for the time to come (upon the accompt and state now made and cast up) it may appear what encrease this new manner of use and administration of the stock (if it be once planted) shall bring with it hereafter; and for the time present (in case I should be prevented by death to propound and reveal this new light as I purpose) yet I may at the least give some awaking note, both of the wants in man's present condition, and the nature of the supplies to be wished; though for mine own part neither do I much build upon my present anticipations, neither do I think our selves yet learned or wise enough to wish reasonably: for as it asks some knowledge to demand a question not impertinent; so it asketh some sence, to make a wish not absurd.

The Inventory, or an enumeration and view of inventions already discovered in use, together with a note of the wants, and the nature of the supplies, being the 10th chapter: and this a small fragment thereof, being the preface to the Inventory.

THE plainest method, and most directly pertinent to this intencion, will be to make distribution of sciences, arts, inventions, works and their portions, according to the use and tribute which they yield and render
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to the conditions of man's life, and under those several uses, being as several offices of provisions, to charge and tax what may be reasonably exacted or demanded, not guiding our selves neither by the poverty of experiences and probations, nor according to the vanity of credulous imaginations; and then upon those charges and taxations to distinguish and present, as it were, in several columns, what is extant and already found, and what is defective and further to be provided. Of which provisions, because in many of them after the manner of slothful and faulty officers and accomptants, it will be returned (by way of excuse) that no such are to be had, it will be fit to give some light of the nature of the supplies, whereby it will evidently appear, that they are to be compassed and procured. And yet nevertheless on the other side again, it will be as fit to check and controul the vain and void assignments and gifts, whereby certain ignorant extravagant and abusing wits have pretended to indue the state of man with wonders, differing as much from truth in nature, as *Cæsar's* Commentaries differeth from the acts of King *Arthur*, or *Huon of Bourdeaux* in story. for it is true that *Cæsar* did greater things than those idle wits had the audacity to fain their supposed Worthies to have done; but he did them not in that monstrous and fabulous manner.

Of the internal and profound errors and superstitions in the nature of the mind, and of the four sorts of Idols or fictions which offer themselves to the understanding in the inquisition of knowledge, being the 16th chapter, and this a small fragment thereof, being a preface to the inward elenches of the mind.

THE opinion of *Epicurus*, that the Gods were of humane shape, was rather justly derided than seriously confuted by the other sects, demanding whether every kind of sensible creatures did not think their own figure fairest, as the Horse, the Bull, and the like, which found no beauty but in their own forms, as in appetite of lust appeared. And the heresy of the *Anthropomorphites* was ever censured for a gross conceit bred in the obscure cells of solitary Monks that never looked abroad. Again, the fable so well known of *Quis pinxit leonem*, doth set forth well, that there is an error of pride and partiality, as well as of custom and familiarity. The reflexion also from glasses so usually resembled to the imagery of the mind, every man knoweth to receive error and variety both in colour, magnitude and shape, according to the quality of the glass. But yet no use hath been made of these and many the like observations to move men to search out, and upon search to give true cautions of the native and inherent errors in the mind of man, which have coloured and corrupted all his notions and impressions.

I do find therefore in this enchanted glaſs four Idols, or falſe appearances of ſeveral and diſtinct ſorts, every ſort comprehending many ſubdiviſions; the firſt ſort, I call Idols of the Nation or tribe; the ſecond, Idols of the Palace; the third, Idols of the Cave; and the fourth, Idols of the Theatre, &c.

Of the impediments of knowledge; being the 4th chapter, the preface only of it.

IN ſome things it is more hard to attempt than to achieve; which falleth out, when the difficulty is not ſo much in the matter or ſubject, as it is in the croſſneſs and indiſpoſition of the mind of man to think of any ſuch thing, to will or to reſolve it; and therefore *Titus Livius* in his declamatory digreſſion, wherein he doth depreſs and extenuate the honour of *Alexander's* conqueſts, ſaith, *Nil alius quam bene auſus vana contemnere*, in which ſort of things it is the manner of men firſt to wonder that any ſuch thing ſhould be poſſible, and after it is found out to wonder again how the world ſhould miſs it ſo long; of this nature, I take to be the invention and diſcovery of knowledge, &c.

The impediments which have been in the times, and in diverſion of wits, being the 5th chapter, a ſmall fragment in the beginning of that chapter.

THE incounters of the times have been nothing favourable and prosperous for the invention of knowledge,

knowledge, so as it is not only the daintiness of the seed to take, and the ill mixture and unliking of the ground to nourish or raise this plant, but the ill season also of the weather, by which it hath been cheked and blasted. Especially in that the seasons have been proper to bring up and set forward other more hasty and indifferent plants, whereby this of knowledge hath been starved and overgrown; for in the descent of times always there hath been somewhat else in reign and reputation, which hath generally aliened and diverted wits and labours from that employment.

For as for the uttermost antiquity, which is like Fame that muffles her head, and tells tales, I cannot presume much of it, for I would not willingly imitate the manner of those that describe maps, which when they come to some far countries, whereof they have no knowledge, set down how there be great wastes and deserts there: So I am not apt to affirm that they knew little, because what they knew is little known to us. But if you will judge of them by the last traces that remain to us, you will conclude, though not so scornfully as *Aristotle* doth, that faith our ancestors were extreme gross, as those that come newly from being moulded out of the clay, or some earthly substance, yet reasonably and probably thus, that it was with them in matter of knowledge, but as the dawning or break of day. for at that time the world was altogether home-bred, every nation looked little beyond their own confines or territories; and the world had no through lights then, as it hath had since by commerce and navigation, whereby there could neither be that contribution of wits one to help another, nor that

variety

variety of particulars for the correcting the customary conceits.

And as there could be no great collection of wits of several parts or nations, so neither could there be any succession of wits of several times, whereby one might refine the other, in regard they had not history to any purpose. And the manner of their traditions was utterly unfit and improper for amplification of knowledge. And again, the studies of those times you shall find, besides wars incursions and rapines, which were then almost every where betwixt states adjoyning (the use of leagues and confederacies being not then known) were to populate by multitude of wives and generation, a thing at this day in the waster part of the *West Indies* principally affected; and to build, sometimes for habitation towns and cities, sometimes for fame and memory monuments, pyramids, colosses, and the like. And if there happened to rise up any more civil wits: then would he found and erect some new laws, customs and usages, such as now of late years, when the world was revolute almost to the like rudeness and obscurity, we see both in our own nation and abroad many examples of, as well in a number of tenures reserved upon men's lands, as in divers customs of towns and manners, being the devises that such wits wrought upon in such times of deep ignorance, &c.

The impediments of knowledge for want of a true succession of wits, and that hitherto the length of one man's life hath been the greatest measure of knowledge; being the 6th chapter, the whole chapter.

IN arts mechanical the first devise comes shortest, and time addeth and perfecteth. But in sciences of conceit, the first author goeth furthest, and time leaseth and corrupteth. Painting, Artillery, Sayling, and the like grossly managed at first, by time accommodate and refined. The philosophies and sciences of *Aristotle*, *Plato*, *Democritus*, *Hippocrates*, of most vigour at first, by time degenerated and imbas'd. In the former many wits and industries contributed in one. In the latter many mens wits spent to deprave the wit of one.

The error is both in the deliverer and in the receiver. he that delivereth knowledge, desireth to deliver it in such form as may be soonest believed, and not as may easilyest examined. he that receiveth knowledge, desireth rather present satisfaction than expectant search, and so rather not to doubt than not to err. Glory maketh the author not to lay open his weakness: and sloth maketh the disciple not to know his strength.

Then begin men to aspire to the second prizes, to be a profound interpreter and commenter, to be a sharp champion and defender, to be a methodical compounder and abridger. And this is the unfortunate succession of wits which the world hath yet had, whereby the patrimony of all knowledge goeth not on husbanded or improved,

ved, but wasted and decayed. for knowledge is like a water that will never arise again higher than the levell from which it fell. And therefore to go beyond *Aristotle* by the light of *Aristotle*, is to think that a borrowed light can encrease the original light from whom it is taken. So then, no true succession of wits having been in the world; either we must conclude, that knowledge is but a task for one man's life, and then vain was the complaint, that *Life is short, and Art is long*: or else, that the knowledge that now is, is but a shrub; and not that tree which is never dangerous, but where it is to the purpose of knowing good and evil; which desire ever riseth upon an appetite to elect, and not to obey, and so containeth in it a manifest defection.

That the pretended succession of wits hath been evil placed, for as much as after variety of sects and opinions, the most popular and not the truest prevaieth and weareth out the rest; being the 7th chapter, a fragment.

IT is sensible to think, that when men enter first into search and enquiry, according to the several frames and compositions of their understanding, they light upon differing conceits, and so all opinions and doubts are beaten over; and then men having made a taste of all, wax weary of variety, and so reject the worst, and hold themselves to the best, either some one if it be eminent; or some two or three, if they be in some equality; which afterwards are received and carried on, and the rest extinct.

Of the Interpretation

But troth is contrary; and that time is like a river, which carrieth down things which are light and blown up, and sinketh and drowneth that which is sadde and weighty. for howsoever Governments have severall forms, sometimes one governing, sometimes few, sometimes the multitude; yet the state of knowledge is ever a Democratic, and that prevaieth which is most agreeable to the senses and conceits of people. As for example, there is no great doubt, but he that did put the beginnings of things to be solid, void, and motion to the center, was in better earnest than he that put matter, form and shift, or he that put the mind, motion and matter. for no man shall enter into inquisition of nature, but shall pass by that opinion of *Democritus*; whereas he shall never come near the other two opinions, but leave them aloof, for the schools and table-talk. yet those of *Aristotle* and *Plato*, because they be both agreeable to popular sense, and the one was uttered with subtilty and the spirit of contradiction, and the other with a stile of ornament and majesty, did hold out, and the other gave place, &c.

Of the impediments of knowledge, in handling it by parts, and in slipping off particular sciences, from the root and stock of universal knowledge; being the 8th chapter, the whole chapter.

CICERO the orator, willing to magnify his own profession, and thereupon spending many words to maintain that eloquence was not a shop of good words and elegancies, but a treasury and receipt of all knowledges,

So far forth as may appertain to the handling and moving of the minds and affections of men by speech; maketh great complaint of the school of *Socrates*; that whereas before his time the same professors of wisdom in *Greece* did pretend to teach an universal sapience and knowledge both of matter and words, *Socrates* divorced them, and withdrew philosophy, and left rhetorick to it self, which by that destitution became but a barren and unnoble science. And in particular sciences we see, that if men fall to subdivide their labours, as to be an oculist in physick, or to be perfect in some one title of the law or the like, they may prove ready and subtile, but not deep or sufficient, no not in that subject which they do particularly attend, because of that consent which it hath with the rest. And it is a matter of common discourse, of the chain of sciences, how they are linked together, in so much as the *Grecians*, who had terms at will, have fitted it of a name of *Circle Learning*. Nevertheless I that hold it for a great impediment towards the advancement and further invention of knowledge, that particular arts and sciences have been disincorporated from general knowledge, do not understand one and the same thing, which *Cicero's* discourse, and the note and conceit of the *Grecians* in their word *Circle Learning* do intend. for I mean not that use which one science hath of another for ornament or help in practise, as the orator hath of knowledge of affections for moving, or as military science may have use of geometry for fortifications; but I mean it directly of that use by way of supply of light and information, which the particulars and instances of one science do yield and present for the framing

framing or correcting of the axioms of another science in their very truth and notion. And therefore that example of Oculists and Title Lawyers doth come nearer my conceit than the other two ; for sciences distinguished have a dependance upon universal knowledge to be augmented and rectified by the superior light thereof ; as well as the parts and members of a science have upon the maxims of the same science, and the mutual light and consent which one part receiveth of another. And therefore the opinion of *Copernicus* in Astronomy, which Astronomy it self cannot correct, because it is not repugnant to any of the appearances ; yet natural philosophy doth correct. On the other side, if some of the ancient philosophers had been perfect in the observations of Astronomy, and had called them to council when they made their principles and first axioms, they would never have divided their philosophy, as the Cosmographers do their descriptions by globes, making one philosophy for heaven, and another for under heaven, as in effect they do.

So if the moral philosophers, that have spent such an infinite quantity of debate touching good, and the highest good, had cast their eye abroad upon nature, and beheld the appetite that is in all things to receive and to give ; the one motion affecting preservation, and the other multiplication ; which appetites are most evidently seen in living creatures, in the pleasure of nourishment and generation ; and in man do make the aptest and most natural division of all his desires, being either of sense of pleasure, or sense of power ; and in the universal frame of the world are figured, the one in the beams

of heaven which issue forth, and the other in the lap of the earth which takes in. and again, if they had observed the motion of congruity, or situation of the parts in respect of the whole, evident in so many particulars. and lastly, if they had considered the motion (familiar in attraction of things) to approach to that which is higher in the same kind. when by these observations, so easy and concurring in natural philosophy, they should have found out this quaternion of good, in enjoying or fruition, effecting or operation, consenting or proportion, and approach or assumption ; they would have saved and abridged much of their long and wandering discourses of pleasure, vertue, duty and religion. So likewise in this same Logick and Rhetorick, or acts of argument and grace of speech, if the great masters of them would but have gone a form lower, and looked but into the observations of Grammar concerning the kinds of words, their derivations, deflexions and syntax, specially enriching the same, with the helps of several languages, with their differing proprieties of words, phrases and tropes, they might have found out more and better footsteps of common reason, help of disputation, and advantages of cavillation, than many of these which they have propounded. So again, a man should be thought to dally, if he did note how the figures of Rhetorick and Musick, are many of them the same. The repetitions and trauctions in speech, and the reports and hauntings of sounds in musick, are the very same things. *Plutarch* hath almost made a book of the *Lacedemonian* kind of jesting, which joyned ever pleasure with distaste. *Sir*, (saith a man of art to *Philip* King of *Macedon*, when he

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he controlled him in his faculty) *God forbid your fortune should be such as to know these things better than I.* In taxing his ignorance in his art, he represented to him the perpetual greatness of his fortune, leaving him no vacant time for so mean a skill. Now in Musick it is one of the ordinarieſt flowers to fall from a diſcord, or hard tune, upon a ſweet accord. The figure that *Cicero* and the reſt commend, as one of the beſt points of elegancy, which is the fine checking of expectation, is no leſs well known to the Muſicians, when they have a ſpecial grace in flying the cloſe or cadence. And theſe are no alluſions but direct communities, the ſame delights of the mind being to be found not only in Muſick, Rhetorick, but in moral philoſophy, policy and other knowledges, and that obſcure in the one, which is more apparent in the other, yea and that diſcovered in the one, which is not found at all in the other, and ſo one ſcience greatly aiding to the invention and augmentation of another. And therefore, without this intercourſe, the axioms of ſciences will fall out to be neither full nor true; but will be ſuch opinions, as *Ariſtote* in ſome places doth wiſely cenſure, when he ſaith, *Theſe are the opinions of perſons that have reſpect but to a few things.* So then we ſee, that this note leadeth us to an adminiſtration of knowledge in ſome ſuch order and policy, as the King of *Spain*, in regard of his great dominions, uſeth in ſtate: who though he hath particular councils for ſeveral countries and affairs, yet hath one council of ſtate, or laſt reſort, that receiveth the advertiſements and certificates from all the reſt. hitherto of the diverſion, ſucceſſion and conference of wits.

That

That the end and scope of knowledge hath been generally mistaken, and that men were never well advised what it was they sought ; being the 9th chapter, whereof a fragment (which is the end of the same chapter) is before.

IT appeareth then how rarely the wits and labours of men have been converted to the severe and original inquisition of knowledge ; and in those who have pretended, what hurt hath been done by the affectation of professors, and the distraction of such as were no professors ; and how there was never in effect any conjunction or combination of wits in the first and inducing search, but that every man wrought apart, and would either have his own way, or else would go no further than his guide, having in the one case the honour of a first, and in the other the ease of a second ; and lastly, how in the descent and continuance of wits and labours, the succession hath been in the most popular and weak opinions, like unto the weakest natures, which many times have most children ; and in them also the condition of succession hath been rather to defend and to adorn than to add ; and if to add, yet that addition to be rather a refining of a part than an encrease of the whole. But the impediments of time and accidents, though they have wrought a general indisposition, yet are they not so peremptory and binding, as the internal impediments and clouds in the mind and spirit of man, whereof it now followeth to speak.

Of the Interpretation

The Scripture, speaking of the worst sort of error, saith, *Errare fecit eos in invio & non in via.* for a man may wander in the way, by rounding up and down; but if men have failed in their very direction and address, that error will never by good fortune correct it self. Now it hath fared with men in their contemplations, as *Seneca* saith it fareth with them in their actions, *De partibus vitæ quisque deliberat, de summa nemo.* A course very ordinary with men who receive for the most part their final ends from the inclination of their nature, or from common example and opinion, never questioning or examining them, nor reducing them to any clear certainty; and use only to call themselves to accompt and deliberation touching the means and second ends, and thereby set themselves in the right way to the wrong place. So likewise upon the natural curiosity and desire to know, they have put themselves in way without foresight or consideration of their journeys end.

For I find that even those that have sought knowledge for it self, and not for benefit, or ostentation, or any practical inablement in the course of their life, have nevertheless propounded to themselves a wrong mark, namely satisfaction (which men call truth) and not operation. for as in the courts and services of princes and states, it is a much easier matter to give satisfaction than to do the business; so in the inquiring of causes and reasons it is much easier to find out such causes as will satisfy the mind of man and quiet objections, than such causes as will direct him and give him light to new experiences and inventions. And this did *Celsus* note wisely and truly, how that the causes which are in use, and
whereof

whereof the knowledges now received do consist, were in time minors and subsequents to the knowledge of the particulars out of which they were induced and collected; and that it was not the light of those causes which discovered particulars, but only the particulars being first found, men did fall on glossing and discoursing of the causes; which is the reason, why the learning that now is hath the curse of barrenness, and is courtesan like for pleasure, and not for fruit. Nay, to compare it rightly, the strange fiction of the poets of the transformation of *Scylla*, seemeth to be a lively emblem of this philosophy and knowledge. A fair woman upward in the parts of show, but when you come to the parts of use and generation, barking monsters, for no better are the endless distorted questions, which ever have been, and of necessity must be, the end and womb of such knowledge.

Here followeth an abridgment of divers chapters of the first book of the Interpretation of Nature.

CHAP. XII.

THAT in deciding and determining of the truth of knowledge, men have put themselves upon tryals not competent. That antiquity and authority, common and confessed notions, the natural and yielding consent of the mind, the harmony and coherence of a knowledge in it self, the establishing of principles with the touch and reduction of other propositions unto them, inductions without instances contradictory, and the report of the senses, are none of them absolute and infallible evi-

dence of truth; and bring no security sufficient for effects and operations. That the discovery of new works or active directions not known before, is the only tryal to be accepted of; and yet not that neither, in case where one particular giveth light to another; but where particulars induce an axiom or observation, which axiom found out, discovereth and designeth new particulars. That the nature of this tryal is not only upon the point, whether the knowledge be profitable or no, but even upon the point, whether the knowledge be true or no. not because you may always conclude, that the axiom which discovereth new instances is true; but contrarywise you may safely conclude, that if it discover not any new instance, it is vain and untrue. That by new instances are not always to be understood new Recipes, but new assignations; and of the diversity between these two. That the subtilty of words, arguments, notions, yea of the senses themselves, is but rude and gross in comparison of the subtilty of things. And of the slothful and flattering opinions of those which pretend to honour the mind of man in withdrawing and abstracting it from particulars; and of the inducements and motives whereupon such opinions have been conceived and received.

CHAP. XIII.

OF the error in propounding, chiefly the search of causes and productions of things concreate, which are infinite and transitory; and not of abstract natures, which are few and permanent. That these natures are as the alphabet or simple letters, whereof the variety of things

things consisteth; or as the colours mingled in the painter's shell, wherewith he is able to make infinite variety of faces or shapes. An enumeration of them according to popular note. That at the first one would conceive that in the schools by natural philosophy were meant the knowledge of the efficient of things concreate; and by Metaphysick the knowledge of the forms of natures simple; which is a good and fit division of knowledge: but upon examination there is no such matter by them intended. That the little enquiry into the production of simple natures, sheweth well that works were not sought; because by the former knowledge some small and superficial deflexions from the ordinary generations and productions may be found out, but the discovery of all profound and radical alteration must arise out of the latter knowledge.

CHAP. XIV.

OF the error in propounding the search of the materials, or dead beginnings or principles of things, and not the nature of motions, inclinations and applications. That the whole scope of the former search is impertinent and vain; both because there are no such beginnings, and if there were they could not be known. That the latter manner of search (which is all) they pass over compendiously and slightly as a bye matter. That the severall conceits in that kind; as that the lively and moving beginnings of things should be shift or appetite of matter to privation; the spirit of the world, working in matter according to platform; the proceeding or fructifying

fyng of distinct kinds according to their proprieties; the intercourse of the elements by mediation of their common qualities; the appetite of like portions to unite themselves; amity and discord, or sympathy and antipathy; motion to the centre, with motion of stripe or press; the casual agitation, aggregation, and essays of the solid portions in the void space; motion of shuttings and openings, are all mere nugations. And that the calculating and ordination of the true degrees, moments, limits and laws of motions and alterations (by means whereof all works and effects are produced) is a matter of a far other nature, than to consist in such easy and wild generalities.

CHAP. XV.

OF the great error of inquiring knowledge in anticipations. That I call anticipations; the voluntary collections that the mind maketh of knowledge, which is every man's reason. That though this be a solemn thing, and serves the turn to negotiate between man and man (because of the conformity and participation of men's minds in the like errors) yet towards enquiry of the truth of things and works, it is of no value. That civil respects are a lett that this pretended reason should not be so contemptibly spoken of, as were fit and medicinal, in regard that hath been too much exalted and glorified, to the infinite detriment of man's estate. Of the nature of words, and their facility and aptness to cover and grace the defects of anticipations. That it is no marvail if these anticipations have brought forth such diversity and repugnance in opinions, theories or philosophies,

sophies, as so many fable of several arguments. That had not the nature of civil customs and government been in most times somewhat adverse to such innovations, though contemplative, there might have been, and would have been many more. That the second school of the *Academiques* and the sect of *Pyrrho*, or the Considerers, that denied comprehension as to the disabling of man's knowledge (entertained in anticipations) is well to be allowed: but that they ought, when they had overthrown and purged the floor of the ruins, to have sought to build better in place. And more especially that they did unjustly and prejudicially, to charge the deceit upon the report of the senses, which admitteth very sparing remedy; being indeed to have been charged upon the anticipations of the mind, which admitteth a perfect remedy. That the information of the senses is sufficient, not because they err not, but because the use of the sense in discovering of knowledge is for the most part not immediate. So that it is the work, effect or instance, that trieth the axiom, and the sense doth but try the work done or not done, being or not being. That the mind of man in collecting knowledge needeth great variety of helps, as well as the hand of man in manual and mechanical practices needeth great variety of instruments. And that it were a poor work, that if instruments were removed, men would overcome with their naked hands. And of the distinct points of want and insufficiency in the mind of man.

C H A P. XVI.

THAT the mind of a man, as it is not a vessel of that content or receipt to comprehend knowledge without helps and supplies; so again it is not sincere, but of an ill and corrupt tincture. Of the inherent and profound errors and superstitions in the nature of the mind, and of the four sorts of idols or false appearances that offer themselves to the understanding in the inquisition of knowledge: that is to say, the Idols of the Tribe, the Idols of the Pallace, the Idols of the Cave, and the Idols of the Theatre. That these four, added to the incapacity of the mind, and the vanity and malignity of the affections, leave nothing but impotency and confusion. A recital of the particular kinds of these four idols, with some chosen examples of the opinions they have begot, such of them as have supplanted the state of knowledge most.

C H A P. XVII.

OF the errors of such as have descended and applied themselves to experience, and attempted to induce knowledge upon particulars. That they have not had the resolution and strength of mind to free themselves wholly from anticipations, but have made a confusion and intermixture of anticipations and observations, and so vanished. That if any have had the strength of mind generally to purge away and discharge all anticipations; they have not had that greater and double strength and patience of mind, as well to repel new anticipations af-

ter the view and search of particulars, as to reject old which were in their mind before ; but have from particulars and history flown up to principles without the mean degrees, and so framed all the middle generalities or axioms, not by way of scale or ascension from particulars, but by way of derivation from principles, whence hath issued the infinite chaos of shadows and moths, wherewith both books and minds have been hitherto, and may be yet hereafter much more pestered. That in the course of those derivations to make them yet the more unprofitable they have used, when any light of new instance opposite to any assertion appeared, rather to reconcile the instance, than to amend the rule. That if any have had, or shall have the power and resolution to fortify and inclose his mind against all anticipations, yet if he have not been or shall not be cautioned by the full understanding of the nature of the mind and spirit of man, and therein of the states, poors and passages both of knowledge and error, he hath not been nor shall not be possibly able to guide or keep on his course aright. That those that have been conversant in experience and observation have used, when they have intended to discover the cause of any effect, to fix their consideration narrowly and exactly upon that effect it self, with all the circumstances thereof, and to vary the trial thereof as many ways as can be devised; which course amounteth but to a tedious curiosity, and ever breaketh off in wondring and not in knowing. And that they have not used to enlarge their observation to match and sort that effect with instances of a diverse subject, which must of necessity be before any cause be found out. That they have passed

Of the Interpretation

over the observation of instances vulgar and ignoble, and stayed their attention chiefly upon instances of mark; whereas the other sort are for the most part more significant, and of better light and information. That every particular that worketh any effect, is a thing compounded (more or less) of diverse single natures (more manifest and more obscure) and that it appeareth not to whether of the natures the effect is to be ascribed; and yet notwithstanding they have taken a course without breaking particulars, and reducing them by exclusions and inclusions to a definite point, to conclude upon inductions in gross, which empirical course is no less vain than the scholastical. That all such as have sought action and work out of their enquiry, have been hasty and pressing to discover some practices for present use, and not to discover axioms, joining with them the new assignations as their sureties. That the forerunning of the mind to frame recipes upon axioms at the entrance, is like *Atalanta's* golden ball that hindereth and interrupteth the course; and is to be inhibited till you have ascended to a certain stage and degree of generalities; which forbearance will be liberally recompenced in the end: And that chance discovereth new inventions by one and one, but science by knots and clusters. That they have not collected sufficient quantity of particulars, nor them in sufficient certainty and subtilty, nor of all several kinds, nor with those advantages and discretions in the entry and sorting which are requisite, and of the weak manner of collecting natural history, which hath been used. Lastly, that they had no knowledge of the formulary of interpretation, the work whereof is to abridge experience, and to make things

things as certainlie found out by axiom in short time,
as by infinite experiences in ages.

C H A P. XVIII.

THAT the cautels and devises put in practise in the delivery of knowledge for the covering and palliating of ignorance, and the gracing and over-valuing of that they utter, are without number; but none more bold and more hurtful than two: the one, that men have used of a few observations upon any subject, to make a solemn and formal art, by filling it up with discourse, accommodating it with some circumstances and directions to practise, and digesting it into method, whereby men grow satisfied and secure, as if no more enquiry were to be made of that matter; the other, that men have used to discharge ignorance with credit, in defining all those effects which they cannot attain unto to be out of the compass of art and human endeavour. That the very styles and forms of utterance are so many characters of imposture, some chusing a style of pugnacity and contention, some of satyr and reprehension, some of plausible and tempting similitudes and examples, some of great words and high discourse, some of short and dark sentences, some of exactness of method, all of positive affirmation; without disclosing the true motives and proofs of their opinions, or free confessing their ignorance or doubts, except it be now and then for a grace and in cunning to win the more credit in the rest, and not in good faith. That although men be free from these errors and incumbrances in the will and affection, yet it is

not a thing so easy as is conceived, to convey the conceit of one man's mind into the mind of another, without loss or mistaking, specially in notions new and differing from those that are received. That never any knowledge was delivered in the same order it was invented, no not in the mathematicks, though it should seem otherwise, in regard that the propositions placed last do use the propositions or grants placed first for their proof and demonstration, that there are forms and methods of tradition wholly distinct and differing, according to their ends whereto they are directed. That there are two ends of tradition of knowledge, the one to teach and instruct for use and practice, the other to impart or intimate for re-examination and progression. That the former of these ends requireth a method not the same, whereby it was invented and induced, but such as is most compendious and ready, whereby it may be used and applyed. That the latter of the ends, which is where a knowledge is delivered to be continued and spun on by a succession of labours, requireth a method whereby it may be transposed to another in the same manner as it was collected, to the end it may be discerned both where the work is weak, and where it breaketh off. That this latter method is not only unfit for the former end, but also impossible for all knowledge gathered and insinuated by anticipations, because the mind working inwardly of it self, no man can give a just account how he came to that knowledge which he hath received, and that therefore this method is peculiar for knowledge gathered by interpretation. That the discretion antiently observed, though by the president of many vain persons and deceivers disgraced

graced, of publishing part and reserving part to a private succession, and of publishing in a manner whereby it shall not be to the capacity nor taste of all, but shall as it were single and adopt his reader, is not to be laid aside, both for the avoiding of abuse in the excluded, and the strengthening of affection in the admitted. That there are other virtues of tradition, as that there be no occasion given to error, and that it carry a vigour to root and spread against the vanity of wits and injuries of time, all which, if they were ever due to any knowledge delivered, or if they were never due to any human knowledge heretofore delivered, yet are now due to the knowledge propounded.

C H A P. XIX.

OF the impediments which have been in the affections, the principal whereof hath been despair or diffidence, and the strong apprehension of the difficulty obscurity and infiniteness which belongeth to the invention of knowledge, and that men have not known their own strength; and that the supposed difficulties and vastness of the work is rather in shew and muster, than in state or substance, where the true way is taken. That this diffidence hath moved and caused some never to enter into search, and others, when they have been entered, either to give over, or to seek a more compendious course than can stand with the nature of true search. That of those that have refused and prejudged enquiry, the more sober and grave sort of wits have depended upon authors and traditions, and the more vain and credulous

lous resorted to revelation and intelligence with spirits and higher natures. That of those that have entred into search, some having fallen upon some conceipts, which they after consider to be the same which they have found in former authors, have suddenly taken a perswasion that a man shall (but with much labour) incur and light upon the same inventions which he might with ease receive from others, and that it is but a vanity and self-pleasing of the wit to go about again, as one that would rather have a flower of his own gathering, than much better gathered to his hand. That the same humour of sloth and diffidence suggesteth, that a man shall but revive some ancient opinion which was long ago propounded, examined and rejected. And that it is easy to err in conceipt, that a man's observation or notion is the same with a former opinion, both because new conceipts must of necessity be uttered in old words, and because upon true and erroneous grounds men may meet in consequence or conclusion, as several lines or circles that cut in some one point. That the greatest part of those that have descended into search, have chosen for the most artificial and compendious course, to induce principles out of particulars, and to reduce all other propositions unto principles, and so instead of the nearest way, have been led to no way, or a meer labyrinth. That the two contemplative ways have some resemblance with the old parable of the two moral ways, the one beginning with uncertainty and difficulty, and ending in plainness and certainty; and the other beginning with shew of plainness and certainty, and ending in difficulty and uncertainty. Of the great and manifest error and untrue

conceipt

concept or estimation of the infiniteness of particulars, whereas indeed all prolixity is in discourse and derivations: and of the infinite and most laborious expence of wit that hath been employed upon toys and matters of no fruit or value. That although the period of one age cannot advance men to the furthest point of interpretation of nature (except the work should be undertaken with greater helps than can be expected) yet it cannot fail in much less space of time to make return of many singular commodities towards the state and occasions of man's life. That there is less reason of distrust in the course of interpretation now propounded, than in any knowledge formerly delivered, because this course doth in sort equal mens wits, and leaveth no great advantage or preheminance to the perfect and excellent motions of the spirit. That to draw a streight line, or to make a circle perfect round by aim of hand only, there must be a great difference between an unsteady and unpractised hand, and a steady and practised; but to do it by rule or compass, it is much alike.

C H A P. XXI.

OF the impediments which have been in the two extream humours of admiration of antiquity and love of novelty, and again of over-servile reverence, or over-light scorn of the opinions of others.

C H A P. XXII.

OF the impediments which have been in the affection of pride, specially of one kind, which is the disdain of dwelling and being conversant much in experiences and particulars, specially such as are vulgar in occurrency, and base and ignoble in use. That besides certain higher mysteries of pride, generalities seem to have a dignity and solemnity, in that they do not put men in mind of their familiar actions, in that they have less affinity with arts mechanical and illiberal, in that they are not so subject to be controuled by persons of mean observation, in that they seem to teach men that they know not, and not to refer them to that they know. All which conditions directly feeding the humour of pride, particulars do want. That the majesty of generalities, and the divine nature of the mind in taking them (if they be truly collected, and be indeed the direct reflexions of things) cannot be too much magnified. And that it is true, that interpretation is the very natural and direct intention, action and progression of the understanding, delivered from impediments. And that all anticipation is but a deflexion or declination by accident.

C H A P. XXV.

OF the impediments which have been in the state of heathen religion, and other superstitions and errors of religion. And that in the true religion there hath not, nor is any impediment, except it be by acci-

dent

dent or intermixture of humour. That a religion which consisteth in rites and forms of adoration, and not in confessions and beliefs, is adverse to knowledge, because men having liberty to enquire and discourse of theology at pleasure, it cometh to pass that all inquisition of nature endeth and limiteth it self in such metaphysical or theological discourse; whereas if mens wits be shut out of that port, it turneth them again to discover, and so to seek reason of reason more deeply. And that such was the religion of the Heathen. That a religion that is jealous of the variety of learning, discourse, opinions and sects (as misdoubting it may shake the foundations) or that cherisheth devotion upon simplicity and ignorance, as ascribing ordinary effects to the immediate working of God, is adverse to knowledge. That such is the religion of the *Turk*, and such hath been the abuse of Christian religion at some several times, and in some several factions. And of the singular advantage which the Christian religion hath towards the furtherance of true knowledge, in that it excludeth and interdicteth human reason, whether by interpretation or anticipation, from examining or discussing of the mysteries and principles of faith.

CHAP. XXVI.

OF the impediments which have been in the nature of society, and the policies of state. That there is no composition of estate or society, nor order or quality of persons, which have not some point of contrariety towards true knowledge. That Monarchies incline wits to profit and pleasure, and commonwealths to glory

and vanity. That Universities incline wits to sophistry and affectation; Cloisters to fables and unprofitable subtilty; Study at large to variety; and that it is hard to say, whether mixture of contemplations with an active life, or retiring wholly to contemplations, do disable and hinder the mind more.

TEMPORIS PARTUS MASculus, *sive de Interpretatione Naturæ, lib. 3.*

1. *Perpolitio & applicatio mentis.*
2. *Lumen Naturæ; seu formula Interpretationis.*
3. *Natura illuminata; sive veritas rerum.*

CAP. I. *Tradendi modus legitimus.*

REPERIO (fili) complures in rerum scientia, quam tibi videntur adepti, vel proferenda vel rursus occultanda neutiquam è fide sua ac officio se gerere. Eodem damno, licet culpa fortassis minore peccant, & illi qui probe quidem morati, sed minus prudentes sunt, nec artem ac præcepta tenent quo quæque modo sint proponenda. Neque tamen de hac tradentium scientiarum five malignitate five inscitia querela est instituenda. Sane si rerum pondera docendi imperitia fregissent, non immerito quis indignetur. Rerum vero ineptiis docendi importunitatem vel jure deberi existimandum est. Ego autem longe ab his diversus te impertiturus non ingenii commenta nec verborum umbras, nec religionem admistam, nec observationes quasdam populares, vel experimenta quædam nobilia in theoriæ fabulas concinnata; sed re-

vera

vera naturam cum fœtibus suis tibi addicturus & mancipaturus, num videor dignum argumentum præ manibus habere quod tractandi vel ambitione vel incitia, vel vitio quovis polluam? Ita sim (fili) itaque humani in universum imperii angustias nunquam satis deploratas ad datos fines proferam (quod mihi ex humanis solum in votis est) ut tibi optima fide, atque ex altissima mentis meæ providentia, & exploratissimo rerum & animorum statu hæc traditurus sim, modo omnium maximè legitimo. Quis tandem (inquies) est modus ille legitimus? Quin tu mitte artes & ambages, rem exhibe nudam nobis, ut iudicio nostro uti possimus. Atque utinam (fili suavissime) eo loco sint res vestræ ut hoc fieri posset. An tu censes, cum omnes omnium mentium aditus ac meatus obscurissimis idolis, iisque alte hærentibus & iniustis obfessi & obstructi sint, veris rerum & nativis radiis sinceræ & politas areas adesse. Nova est ineunda ratio, qua mentibus obductissimis illabi possimus. Ut enim phreneticorum deliramenta arte & ingenio subvertuntur, vi & contentione efferantur, omnino ita in hac universali insania mos gerendus est. Quid? leviores illæ conditiones, quæ ad legitimum scientiæ tradendæ modum pertinent, an tibi tam expeditæ & faciles videntur? ut modus innocens sit; id est, nulli prorsus errori ansam & occasionem præbeat? ut vim quandam insitam & innatam habeat, tum ad fidem conciliandam, tum ad pellendas injurias temporis, adeo ut scientia ita tradita, veluti planta vivax & vegeta, quotidie serpat & adolescat? ut idoneum & legitimum sibi lectorem se ponat & quasi adoptet? Atque hæc omnia præstiterim, necne, ad tempus futurum provoco.

FILUM LABYRINTHI,
S I V E
FORMULA INQUISITIONIS.
A D F I L I O S:

P A R S P R I M A.

1. *F*RAUNCIS BACON thought in this manner.

The knowledge whereof the world is now possessed, especiallie that of nature, extendeth not to magnitude and certaintie of workes. The Physician pronounceth many diseases incurable, and faileth oft in the rest. The Alchymists wax old and dye in hopes. The Magicians performe nothing that is permanent and profitable. The Mechaniques take small light from naturall philosophie, and doe but spyne on their own little thridds. Chaunce sometimes discovereth inventions, but that worketh not in years, but ages. So he saw well, that the inventions known are very unperfitt, and that newe are not like to be brought to light, but in great length of tyme, and that those which are, came not to light by philosophie.

2. He thought also this state of knowledge was the worse, because men strive (against themselves) to save the credit of ignorance, and to satisfie themselves in this po-
vertie.

vertie. for the Physician, besides the cauteles of practice, hath this generall cautele of art, that he dischargeth the weaknesse of his art upon supposed impossibilities; neither can his art be condemned, when it self judgeth. That philosophy also, out of which the knowledge of physick which now is in use is hewed, receyveth certain positions and opinions, which (if they be well weighed) induce this perswasion, that no great workes are to be expected from art, and the hand of man; as in particular, that opinion, that *the beate of the sunne and fire differ in kind*; and that other, *that composition is the work of man, and mixture is the work of nature*, and the like; all tending to the circumscription of man's power, and to artificall despaire; killing in men, not onlie the comfort of imagination, but the industry of tryall: only upon vaine glorie, to have their art thought perfitt, and that all is impossible, that is not alreadie found. The Alchymist dischargeth his art upon his own errors, either supposing a misunderstanding of the wordes of his authors, which maketh him listen after auricular traditions; or els failing in the true proportions and scruples of practise, which maketh him renew infinitelie his tryalls, and finding also that he lighteth upon some mean experiments and conclusions by the waye, feedeth upon them, and magnifieth them to the most, and supplieth the rest in hopes. The Magician, when he findeth something (as he conceiveth) above nature, effected; thinketh, when a breach is once made in nature, that it is all one, to perform great things and small; not seeing, that they are but subjects of a certaine kind, wherein magick and superstition hath played in all times. The mechan-

call

call person, if he can refine an invention, or put two or three observations or practises together in one, or couple things better with their use, or make the work in less or greater volume, taketh himself for an inventor. So he saw well, that men either perswade themselves of new inventions as of impossibilities; or els thinke they are already extant, but in secret and in few hands; or that they accompt of those little industries and additions, as of inventions, all which turneth to the averting of their minds from any just and constant labour, to invent further in anie quantitie.

3. He thought also, when men did set before themselves the variety and perfection of workes, produced by mechanickall arts; they are apt rather to admire the provisions of man, than to apprehend his wants; not considering, that the original inventions, and conclusions of nature, which are the life of all that varietie, are not many, nor deeply fetched; and that the rest is but the subtile and ruled motion of the instrument and hand; and that the shop therein is not unlike the librarie, which in such number of books containeth (for the far greater part) nothing but iterations, varied sometimes in forme, but not new in substance. So he sawe plainlie, that opinion of store was a cause of want; and that both workes and doctrines appeare manie, and are few.

4. He thought also, that knowledge is uttered to men in a forme, as if everie thing were finished; for it is reduced into arts and methods; which in their divisions do seem to include all that may be. And how weaklie soever the parts are filled, yet they carry the shew and reason of a total; and thereby the writings of some received

ceived authors go for the verie art; whereas antiquitie used to deliver the knowledge which the mynd of man had gathered, in observations, aphorismes, or short and dispersed sentences, or small tractates of some partes that they had diligentlie meditated and laboured; which did invite men, both to ponder that which was invented, and to add and supplie further. But now, sciences are delivered as to be believed and accepted, and not to be examined and further discovered; and the succession is between master and disciple, and not between inventor and continuer or advancer; and therefore sciences stand at a stay, and have done for manie ages, and that which is positive is fixed, and that which is question is kept question, so as the columnes of no further proceeding are pitched: And therefore he sawe plainlie, men had cut themselves off from further invention; and that it is no marvayle, that that is not obtained which hath not been attempted, but rather shut out and debarred.

5. He thought also, that knowledge is almost generallie sought either for delight and satisfaction, or for gaine or profession, or for credit and ornament, and that everie of these are as *Atalanta's* balls, which hinder the race of invention. for men are so farre in these courses from seeking to encrease the masse of knowledge, as of that masse which is, they will take no more than will serve their turne: and if anie one amongst so manie seeketh knowledge for it self, yet he rather seeketh to knowe the varietie of things, than to discern of the truth and causes of them; and if his inquisition be yet more severe, yet it tendeth rather to judgement than to invention; and rather to discover truth in controversie, than
new

new matter; and if his heart be so large as he propoundeth to himself further discoverie or invention, yet it is rather of newe discourse and speculation of causes, than of effects and operations. And as for those that have so much in their mouthes, action and use and practise, and the referring of sciences thereunto; they meane it of application of that which is knowne, and not of a discoverie of that which is unknowne. So he saw plainlie, that this marke, namely, invention of further meanes to indow the condition and life of man with newe powers or workes, was almost never yet set up and resolved in man's intention and enquirie.

6. He thought also, that amongst other knowledges, natural philosophie hath been the least followed and laboured. for since the Christian faith, the greatest number of wits have been employed, and the greatest helps and rewards have been converted upon Divinitie. And before time likewise, the greatest part of the studies of philosophers was consumed in moral philosophie, which was as the heathen Divinity. And in both tymes a great part of the best wits betook themselves to lawe, pleadings, and causes of estate; speciallie in the tyme of the greatness of the *Romans*, who by reason of their large empire, needed the service of all their able men for civill busines. And the tyme amongst the *Grecians*, in which naturall philosophie seemed most to flourish, was but a short space; and that also rather abused in differing sects and conflicts of opinions, than profitablie spent. Since which time, naturall philosophie was never any profession, nor never possessed any whole man, except perchaunce some monk in a cloyster, or some gentleman

gentleman in the countrie, and that very rarely; but became a science of passage, to season a little young and unripe wits, and to serve for an introduction to other arts, speciallie physick and the practical mathematiques. So as he sawe plainlie, that naturall philosophie hath been intended by fewe persons, and in them hath occupied the least part of their time; and that in the weakest of their age and judgement.

7. He thought also, how great opposition and prejudice naturall philosophie had received by superstition, and the immoderate and blind zeale of religion; for he found that some of the *Grecians*, which first gave the reason of thunder, had been condemned of impietie; and that the Cosmographers, which first discovered and described the roundness of the earth, and the consequence thereof touching the *Antipodes*, were not much otherwise censured by the auncient fathers of the Christian church; and that the case is now much worse, in regard of the boldness of the Schoolmen and their dependances in the monasteries, who having made divinitie into an art, have almost incorporated the contentious philosophie of *Aristotle* into the body of Christian religion; and generallie he perceived in men of devout simplicitie this opinion, that the secrets of nature were the secrets of God; and part of that glorie whereinto the mind of man, if it seek to presse, shall be oppressed; and that the desire in men to attain to so great and hidden knowledge, hath a resemblance with that temptation which caused the originall fall; and on the other side, in men of a devout policie, he noted an inclination to have the people depend upon God the more, when

they are less acquainted with second causes; and to have no stirring in philosophie, lest it may lead to an innovation in divinitie, or else should discover matter of further contradiction to divinitie. But in this part, resorting to the authoritie of the Scriptures, and holy examples, and to reason, he rested not satisfied alone, but much confirmed. for first, he considered that the knowledge of nature, by the light whereof man discerned of everie living creature, and imposed names according to their propriety, was not the occasion of the fall; but the morall knowledge of good and evill, affected to the end to depend no more upon God's commaundments, but for man to direct himself. Neither could he find in any Scripture, that the inquirie and science of man in any thing, under the mysteries of the Deity, is determined and restrained, but contrarywise allowed and provoked. for concerning all other knowledge, the Scripture pronounceth, *That it is the glory of God to conceale, but it is the glory of man* (or if the King, for the King is but the excellency of man) *to invent*; and again, *The spirit of man is as the lamp of God, wherewith he searcheth every secret*; and again most effectually, *That God hath made all things beautifull and decent, according to the retourn of their seasons; also that he hath set the world in man's heart, and yet man cannot find out the work which God worketh from the beginning to the end*; shewing that the heart of man is a continent of that concave or capacity, wherein the content of the world (that is, all fourmes of the creatures, and whatsoever is not God) may be placed, or received; and complaining, that through the variety of things, and vicissitudes of times, (which are but im-

pediments.

pediments and not impuiffances) man cannot accomplifh his invention. In prefident alfo he fet before his eyes, that in thofe few memorialls before the floud, the Scripture honoureth the name of the inventors of mufique and workes in metall; that *Mofes* had this addition of praife, that he was feen in all the learning of the *Egyptians*; that *Solomon*, in his graunt of wifdom from God; had conteyned as a branch thereof that knowledge, whereby he wrote a naturall hiftorie of all verdor, from the cedar to the moffe, and of all that breatheth; that the book of *Job*, and many places of the prophets, have great afperſion of naturall philoſophie; that the church in the boſome and lappe thereof in the greateſt injuries of tymes, ever preſerved (as holie reliques) the bookes of philoſophie and all heathen learning; and that when *Gregory* the biſhop of *Rome* became adverſe and unjuſt to the memory of heathen antiquity, it was cenſured for puſillanimitie in him, and the honour thereof ſoon after reſtored, and his own memorie almoſt perfecuted by his ſucceſſor *Sabinian*; and laſtly, in our tymes, and the ages of our fathers, when *Luther* and the Divines of the Proteſtant church on the one ſide, and the Jeſuites on the other, have enterprized to reforme, the one the doctrine, the other the diſcipline and manners of the church of *Rome*, he ſawe well how both of them have awaked to their great honour and ſuccour all humane learning; and for reaſon, there cannot be a greater and more evident than this, that all knowledge, and ſpeciallie that of naturall philoſophie, tendeth highlie to the magnifying of the glorie of God in his power, provi-

dence and benefits, appearing and engraven in his workes, which without this knowledge are beheld but as through a vaile; for if the heavens in the bodie of them do declare the glorie of God to the eye, much more do they in the rule and decrees of them declare it to the understanding; and another reason, not inferior to this, is, **that** the same naturall philosophie principallie amongst all other humane knowledge, doth give an excellent defence against both extreame of religion, superstition and infidelitie; for both it freeth the mynd from a number of weak fancies and imaginations, and it raiseth the mynd to acknowledge that to God all things are possible; for to that purpose speaketh our Saviour in that first canon against heresies, delivered upon the case of the resurrection, *You erre, not knowing the scriptures, nor the power of God*; teaching, that there are but two fountaines of heresie, not knowing the will of God revealed in the Scriptures, and not knowing the power of God revealed or at least made most sensible in his creatures. So as he sawe well, that naturall philosophie was of excellent use to the exaltation of the divine Majestie; and that which is admirable, that being a remedie of superstition, it is nevertheless an help to faith. He saw likewise, that the former opinions to the prejudice thereof, had no true ground; but must spring either out of meer ignorance, or out of an excesse of devotion, to have divinitie all in all, whereas it should be only above all; (both which states of mynd may be best pardoned) or else out of worse causes, namelie out of envie which is proud weakness, and deserveth to be despised; or out of some mixture

mixture of imposture, to tell a lye for God's cause; or out of an impious diffidence, as if men should fear to discover some things in nature, which mought subvert faith. But still he saw well, howsoever these opinions are in right reason reproved, yet they leave not to be most effectuall hinderances to naturall philosophie and invention.

8. He thought also, that there wanted not great contrarietie to the further discoverie of sciences in regard of the orders and customes of universities, and also in regard of common opinion. for in universities and colleges mens studies are almost confined to certayne authors, from which if any dissenteth or propoundeth matter of redargution, it is enough to make him thought a person turbulent; whereas if it be well advised, there is a great difference to be made between matters contemplative and active. for in government chaunge is suspected, though to the better; but it is naturall to arts to be in perpetuall agitation and growth. Neither is the daunger alike of new light, and of new motion, or remove; and for vulgar and received opinions, nothing is more usual, nor more usuallie complained of, than that it is imposed for arrogancy and presumption, for men to authorise themselves against antiquitie and authors, towards whom envy is ceased, and reverence by time amortised; it not being considered what *Aristotle* himself did; (upon whom the philosophie that now is chiefly dependeth) who came with a professed contradiction to all the world; and did put all his opinions upon his own authoritie and argument, and never so much as nameth an author, but to confute:

confute and reprove him ; and yet his success well fulfilled the observation of him that said, *If a man come in his own name him will you receive.* Men think likewise, that if they should give themselves to the liberty of invention and travaile of enquiry, that they shall light again upon some conceits and contemplations, which have been formerly offered to the world, and have been put down by better, which have prevailed and brought them to oblivion ; not seeing that howsoever the property and breeding of knowledges is in great and excellent wits, yet the estimation and price of them is in the multitude, or in the inclinations of princes and great persons meanlie learned. So as those knowledges are like to be received and honoured, which have their foundation in the subtiltie or finest tryall of common sense, or such as fill the imagination, and not such knowledge as is digged out of the hard myne of historie and experience, and falleth out to be in some points as adverse to common sense, or popular reason, as religion or more. Which kind of knowledge, except it be delivered with straunge advantages of eloquence and power, may be likely to appeare and disclose a little to the world, and straight to vanish and shut againe. So that time seemeth to be of the nature of a river or floud, that bringeth downe to us that which is light and blown up, and sinketh and drowneth that which is solid and grave. So he saw well that both in the state of religion, and in the administration of learning, and in common opinion, there were manie and continuall stops, and traverses to the course of invention.

9. He thought also, that the invention of workes and further possibility was prejudiced in a more speciall manner than that of speculative truth; for besides the impediments common to both, it hath by it self been notable hurt and discredited by the vaine promises and pretenses of Alchymy, Magick, Astrologie, and such other arts, which (as they now pass) hold much more of imagination and belief, than of sense and demonstration. But to use the Poet's language, men ought to have remembered, that although *Ixion* of a cloud in the likeness of *Juno* begat Centaures and Chimeras, yet *Jupiter* also of the true *Juno* begat *Vulcan* and *Hebe*. Neither is it just to deny credit to the greatness of the acts of *Alexander*, because the like or more straunge have been fained of an *Amadis* or an *Arthur*, or other fabulous worthies. But though this in true reason should be, and that men ought not to make a confusion of unbelief; yet he saw well, it could not otherwise be in event, but that experience of untruth had made access to truth more difficult, and that the ignominie of vanitie had abated all greatness of mind.

10. He thought also, there was found in the mynd of man an affection naturallie bred and fortified, and furthered by discourse and doctrine, which did pervert the true proceeding towards active and operative knowledge. This was a false estimation, that it should be as a diminution to the mynd of man to be much conversant in experiences and particulars, subject to sense and bound in matter, and which are laborious to search, ignoble to meditate, harsh to deliver, illiberal to practise, infinite

as is supposed in number, and no wayes accommodate to the glorie of arts. This opinion or state of mynd receyved much credit and strength by the school of *Plato*, who thinking that particulars rather revived the notions, or excited the faculties of the mynd, than meerly informed; and having mingled his philosophie with superstition, which never favoureth the sense, extolleth too much the understanding of man in the inward light thereof. And again, *Aristotle's* school, which giveth the dew to the sense in assertion, denyeth it in practise much more than that of *Plato*. for we see the Schoolmen, *Aristotle's* successors, which were utterlie ignorant of historie, rested only upon agitation of wit; whereas *Plato* giveth good example of inquirie by induction and view of particulars; though in such a wandering manner as is of no force or fruit. So that he saw well, that the supposition of the sufficiency of man's mynd, hath lost the meanes thereof.

SEQUELA CHARTARUM,
 S I V E,
 Inquisitio Legitima
 D E
 CALORE ET FRIGORE.
 S E C T I O O R D I N I S.

Charta suggestionis, sive Memoria fixa.

THE sun beames hot to sense.

The moon beames not hot, but rather conceived to have a quality of cold, for that the greatest coldes are noted to be about the full, and the greatest heates about the change. *Qu.*

The beames of the starres have no sensible heat by themselves; but are conceived to have an augmentative heat of the sun beames by the instance following. The same climate arctic and antarctic are observed to differ in cold, *viz.* that the antarctic is the more cold, and it is manifest the antarctic hemisphere is thinner planted of starres.

The heates observed to be greater in *July* than in *June*; at which time the sun is nearest the greatest fixed starres, viz. *Cor Leonis*, *Cauda Leonis*, *Spica Virginis*, *Syrius*, *Canicula*.

The conjunction of any two of the three highest planets noted to cause great heates.

Comets conceived by some to be as well causes as effects of heat, much more the starres.

The sun beames have greater heat when they are more perpendicular, than when they are more oblique; as appeareth in difference of regions, and the difference of the tymes of summer and winter in the same region; and chiefly in the difference of the houres of midday, mornings, evenings in the same day.

The heates more extream in *July* and *August* than in *May* or *June*, commonly imputed to the stay and continuance of heat.

The heats more extream under the Tropiques than under the Lyne: commonly imputed to the stay and continuance of heat, because the sun there doth as it were double a cape.

The heats more about three or four of clock than at noon; commonly imputed to the stay and continuance of heat.

The sun noted to be hotter when it shineth forth between cloudes, than when the sky is open and serene.

The middle region of the air hath manifest effects of cold, notwithstanding locally it be nearer the sun, commonly imputed to *Antiperistasis*, assuming that the beames of the sun are hot either by approach or by reflexion, and that falleth in the middle term between both; or if

as some conceive, it be only by reflexion, then the cold of that region resteth chiefly upon distance; the instances shewing the cold of that region, are the snowes which descend; the hailes which descend, and the snowes and extreame coldes which are upon high mountaines.

But *Qu.* of such mountaynes as adjoin to sandy vales and not to fruitfull vales which minister no vapours, or of mountaynes above the region of vapours, as is reported of *Olympus*, where any inscription upon the ashes of the altar remayned untouched of wind or dewe; and note, it is also reported, that men carryed up sponges with vinegar to thicken their breath, the air growing too fine for respiration, which seemeth not to stand with coldness.

The cloudes make a mitigation of the heat of the sun. So doth the interposition of any body which we term shades; but yet the nights in summer are many times as hot to the feeling of mens bodies as the days are within doores, where the beames of the sun actually beat not.

There is no other nature of heat known from the celestial bodies or from the air, but that which cometh by the sun beames. for in the countries near the Pole, we see the extreame coldes end in the summer monthes, as in the voyage of *Nova Zembla*, where they could not disengage their barques from the ice, no not in *July*, and met with great mountaynes of ice, some floating, some fixed at that time of year, being the heart of summer.

The caves under the earth noted to be warmer in winter than in summer, and so the waters that spring from within the earth.

Great quantitie of sulphur, and sometimes naturally burning after the manner of *Ætna* in *Island*, the like written of *Gronland*, and divers other the cold countries *.

The trees in the cold countries are such as are fuller of rosin, pitch, tarre, which are matters apt for fire, and the woodes themselves more combustibile than those in much hotter countries; as for example, Fyrr, Pyne-Apple, Juniper; *Qu.* whether their trees of the same kind that ours are, as Oak and Ash, bear not in the more cold countries, a wood more brittle and ready to take fire than the same kinds with us.

The sun beames heat manifestly by reflection, as in countries pent in with hills, upon walls or buildings, upon pavements, upon gravell more than earth, upon arable more than grasse, upon rivers if they be not very open, &c.

The uniting or collection of the sun beames multiplieth heat, as in burning glasses, which are made thinner in the middle than on the sides (as I take it contrary to spectacles) and the operation of them is, as I remember, first to place them between the sun and the body to be fired, and then to draw them upward towards the sun, which it is true maketh the angle of the cone sharper. But then I take it if the glass had been first placed at the same distance, to which it is after drawn, it would not have had that force, and yet that had been all one to the sharpness of the angle. *Qu.*

* No doubt but infinite power of the heat of the sun in cold countries, though it be not to the analogy of men, and fruites, &c.

So in that the sun's beams are hotter perpendicularly than obliquely, it may be imputed to the union of the beames, which in case of perpendicularity reflect into the very same lines with the direct, and the further from perpendicularity the more obtuse the angle, and the greater distance between the direct beam and the reflected beam.

The sun beames raise vapours out of the earth, and when they withdraw they fall back in dewes.

The sun beames do many times scatter the mists which are in the mornings.

The sun beames cause the diverse returns of the herbs, plants and fruits of the earth; for we see in Ly-mon trees and the like, that there is coming on at once fruite ripe, fruite unripe, and blossoms; which may shew that the plante worketh to put forth continually, were it not for the variations of the accesses and recesses of the sun, which call forth, and put back.

The excessive heat of the sun doth wyther and destroy vegetables, as well as the cold doth nypp and blast them.

The heat or beames of the sun doth take away the smell of flowers, specially such as are of a milder odour.

The beames of the sun do disclose summer flowers, as the Pimpernell, Marigold, and almost all flowers else, for they close commonly morning and evening, or in over-cast weather, and open in the brightness of the sun; which is but imputed to dryness and moisture, which doth make the beames heave or erect; and not to any other propriety in the sun beames: So they report
not

not onely a closing, but a bending or inclining in the
Heliotropium and *Calendula*. *Qu.*

The sun beames do rype all fruites, and addeth to them a sweetnes or fatnes; and yet some sultry hot dayes overcast; are noted to ryphen more than bright dayes.

The sun beames are thought to mend distilled waters; the glasse being well stopped, and to make them more vertuous and fragrant.

The sun beames do turn wine into vinegar; but *Qu.* whether they would not sweeten verjuice.

The sun beames doth pall any wine or beer that is set in them.

The sun beames do take away the lustre of any filkes or arras.

There is almost no myne, but lyeth some depth in the earth; gold is conceyved to lye highest and in the hottest countries; yet *Thracia* and *Hungary* are cold, and the hills of *Scotland* have yielded gold, but in small grains or quantity.

If you set a root of a tree too deep in the ground, that root will perish, and the stock will put forth a new root nearer the superficies of the earth.

Some trees and plants prosper best in the shade; as the Bayes, Strawberries, some Wood-flowers.

Almost all flies love the sun beames, so do Snakes; Toads and Wormes contrary.

The sun beames tanneth the skin of man; and in some places turneth it to black.

The sun beames are hardly indured by many, but cause head-ach, faintnes, and with many they cause rheums; yet to aged men they are comfortable.

The

The sun causes pestilence, which with us rage about Autumn; but it is reported, in *Barbary* they break up about *June*, and rage most in the winter.

The heat of the sun, and of fire, and living creatures, agree in some things which pertain to vivification; as the back of a chimney will set forward an Apricocke tree as well as the sun; the fire will raise a dead Butterfly as well as the sun; and so will the heat of a living creature. the heat of the sun in sand will hatch an egge.

Qu.

The heat of the sun in the hottest countries nothing so violent as that of fire, no not scarcely so hot to the sense as that of a living creature.

The sun, a fountain of light as well as heat. The other celestial bodies manifest in light, and yet *non constat*, whether all borrowed, as in the moon; but obscure in heat.

The southern and western wind with us is the warmest, whereof the one bloweth from the sun, the other from the sea; the northern and eastern the more cold.

Qu. whether in the coast of *Florida*, or at *Brazil*, the east wind be not the warmest, and the west the coldest; and so beyond the Antartique Tropique, the southern wind the coldest.

The air useth to be extream hot before thunders.

The sea and air ambient, appeareth to be hotter than that at land; for in the northern voyages two or three degrees farther at the open sea, they find less ice than two or three degrees more south near land; but *Qu.* for that may be by reason of the shores and shallows.

The

The snowes dissolve fastest upon the sea coasts, yet the winds are counted the bitterest from the sea, and such as trees will bend from. *Qu.*

The streames or cloudes of brightnes which appear in the firmament, being such through which the stars may be seen, and shoot not, but rest, are signes of heat.

The pillars of light, which are so upright, and do commonly shoot and varye, are signes of cold, but both these are signes of drowth.

The air when it is moved is to the sense colder; as in winds, fannings, *Ventilabra*.

The air in things fibrous, as fleeces, furs, &c. warm; and those stufes to the feeling warm.

The water to man's body seemeth colder than the air; and so in summer, in swimming it seemeth at the first going in; and yet after one hath been in a while, at the coming forth again, the air seemeth colder than the water.

The snow more cold to the sense than water, and the ice than snow; and they have in *Italy* meanes to keep snow and ice for the cooling of their drinks; *Qu.* whether it be so in froth in respect of the liquor.

Bathes of hot water feel hottest at the first going in.

The frost dew which we see in hoar frost, and in the rymes upon trees or the like, accounted more mortifying cold than snow; for snow cherisheth the ground, and any thing sowed in it; the other biteth and killeth.

Stone and metal exceeding cold to the feeling more than wood; yea more than jett or amber, or horn, which are no less smooth.

The

The snow is ever in the wynter season, but the haile, which is more of the nature of ice, is ever in the summer season, whereupon it is conceyved, that as the hollowes of the earth are warmest in the winter, so that region of the air is coldest in the summer; as if they were a fugue of the nature of eyther from the contrary, and a collecting it self to an union, and so to a further strength.

So in the shades under trees in the summer which stand in an open field, the shade noted to be colder than in a wood.

Cold effecteth congelation in liquors, so as they do consist and hold together, which before did run.

Cold breaketh glasses, if they be close stopped in frost, when the liquor freezeth within.

Cold in extreme maketh metalls, that are dry and brittle, cleft and crack, *Æraque diffiliunt*; so of pots of earth and glasse.

Cold maketh bones of living creatures more fragile.

Cold maketh living creatures to swell in the joints, and the blood to clot, and turn more blue.

Bitter frosts do make all drinks to taste more dead and flat.

Cold maketh the arteries and flesh more asper and rough.

Cold causes rheums and distillations by compressing the brain, and laxes by like reason.

Cold increaseth appetite in the stomach, and willingness to styrre.

Cold maketh the fire to scald and sparkle.

Paracelsus reporteth, that if a glafs of wine be fet upon a tarras in a bitter frost, it will leave some liquor unfrozen in the center of the glafs, which excelleth *spiritus vini* drawn by fire.

Cold in *Muscovy*, and the like countries, causes those parts which are voidest of blood, as the nose, the ears, the toes, the fingers, to mortify and rot; specially if you come sowdaynely to fire, after you have been in the air abroad, they are sure to moulder and dissolve. They use for remedy, as is said, washing in snow water.

If a man come out of a bitter cold sowdaynely to the fire, he is ready to swoon or overcome.

So contrarywise at *Nova Zembla*, when they opened their door at times to go forth, he that opened the door was in danger to overcome.

The quantity of fish in the cold countries, *Norway*, &c. very abundant.

The quantity of fowl and eggs laid in the cliffs in great abundance.

In *Nova Zembla* they found no beast but bears and foxes, whereof the bears gave over to be seen about *September*, and the foxes began.

Meat will keep from putrifying longer in frosty weather, than at other times.

In *Iseland* they keep fish by exposing it to the cold from putrifying without salt.

The nature of man endureth the coldest in the countries of *Scricfinnia*, *Biarmia*, *Lappia*, *Iseland*, *Groenland*; and that not by perpetuall keeping in in stoves in the winter time as they do in *Russia*; but contrarywise, their chief fairs and intercourse is written to be in the

winter,

winter, because the ice evens and levelleth the passages of waters, plashes, &c.

A thaw after a frost doth greatly rot and mellow the ground.

Extreme cold hurteth the eyes, and causes blindness in many beasts, as is reported.

The cold maketh any solid substance, as wood, stone, metall, put to the flesh, to cleave to it, and to pull the flesh after it, and so put to any cloth that is moist.

Cold maketh the pelage of beasts more thick and long, as foxes of *Muscovy*, fabells, &c.

Cold maketh the pelage of most beasts incline to grayness or whiteness, as foxes, bears, and so the plumage of fowls; and maketh also the crests of cocks, and their feet white as is reported.

Extreme cold will make nails leap out of the walls, and out of locks, and the like.

Extreme cold maketh leather to be stiffe like horn.

In frosty weather the stars appear clearest and most sparkling.

In the chaunge from frost to open weather, or from open weather to frosts, commonly great mists.

In extreme coldes any thing never so little which arresteth the air maketh it to congele; as we see in cobwebbs in windows, which is one of the least and weakest thriddes that is, and yet drops gather about it like chains of pearl.

So in frosts, the inside of glasse windows gathereth a dew. *Qu.* if not more without.

Qu. Whether the sweating of marble and stones be in frost, or towards rain.

Oyl in time of frost gathereth to a substance, as of tallow; and it is said to sparkle some time, so as it giveth a light in the dark.

The countries which lye covered with snow, have a hastier maturation of all grain than in other countries, all being within three months, or thereabouts.

Qu. It is said, that compositions of hony, as meth, do ripen, and are most pleasant in the great coldes.

The frosts with us are casuall, and not tyed to any months, so as they are not merely caused by the recess of the sun, but mixed with some inferior causes. In the inland of the northern countries, as in *Russia*, the weather for the three or four months of *November*, *December*, *January*, *February* is constant, viz. clear and perpetuall frost, without snowes or rains.

There is nothing in our region, which by approach of a matter hot, will not take heat by transiſion or excitation.

There is nothing hot here with us, but is in a kind of consumption, if it carry heat in it self; for all fired things are ready to consume, chafed things are ready to fire, and the heat of mens bodies needeth aliment to restore.

The transiſion of heat is without any imparting of substance, and yet remaineth after the body heated is withdrawn; for it is not like smells, for they leave some airs or partes not like light, for that abideth not when the first body is removed, not unlike to the motion of the load-stone, which is lent without adhesion of substance, for if the iron be filed where it was rubbed, yet it will draw or turn.

REDARGUTIO

PHILOSOPHIARUM*.

DUM hæc tractarem, intervenit amicus meus quidam ex Gallia rediens, quem cum salutassẽm, atque ego illum, ille me de rebus nostris familiariter interrogassẽmus: Tu vero, inquit, vacuis tuis ab occupationibus civilibus intervallis, aut saltem remittentibus negotiis quid agis? Opportune, inquam, nam ne nil me agere existimes, meditor instaurationem philosophiæ, ejusmodi quæ nihil inanis aut abstracti habeat, quæque vitæ humanæ conditiones in melius provehat. Honestum profecto opus, inquit: & quos socios habes? Ego certe, inquam, profecto nullos: quin nec quenquam habeo quo cum familiariter de hujusmodi rebus colloqui possim, ut me saltem explicem & exacuam. Duræ, inquit, partes tuæ sunt: & statim addidit, atque tamen scito hæc aliis curæ esse. Tum ego lætatus: guttulâ, inquam, me aspersisti, atque animam reddidisti. Ego enim anum quandam fatidicam non ita pridem conveni, quæ mihi nescio quid obmurmurans, vaticinata est, fœtum meum in solitudine peritulum. Vis, inquit, ut tibi narrem quæ mihi

* Vide scripta a Grutero edita, 1653. p. 318.

in Gallia circa hujusmodi negotium evenerunt. Libentissime, inquam, atque insuper gratiam habebō.

Tum retulit se Parisiis vocatum a quodam amico suo, atque introductum in confessum virorum, qualem, inquit, vel tu videre velles; nihil enim in vita mihi accidit jucundius. erant autem circiter quinquaginta viri, neque ex iis quisquam adolescens, sed omnes ætate proVectiores, quique vultu ipso dignitatem cum probitate singuli præ se ferrent. inter quos aiebat se cognovisse nonnullos honoribus perfunctos, atque alios ex senatu; etiam antistites sacrorum insignes, atque ex omni fere ordine eminentiore aliquos; erant etiam quidam, ut aiebat, peregrini ex diversis nationibus. Atque cum ille primo introiisset, invenit eos familiariter inter se colloquentes; sedebant tamen ordine sedilibus dispositis, ac veluti adventum alicujus expectantes.

Neque ita multo post ingressus est ad eos vir quidam, aspectûs (ut ei videbatur) admodum placidi & sereni, nisi quod oris compositio erat tanquam miserantis, cui cum omnes affurrexissent, ille circumspiciens & subridens; Nunquam, inquit, existimavi potuisse fieri, ut otium omnium vestrûm, cum singulos recognosco, in unum atque idem tempus coincideret, idque quomodo evenerit, fatis mirari non possum. Cumque unus ex cœtu respondisset, eum ipsum hoc otium illis fecisse, cum quæ ab ipso expectarent illi ducerent omni negotio potiora: Atque ut video, inquit, universa illa jactura ejus quod hic consumetur temporis, quæ certe vos separati multis mortalibus profuissetis ad meas rationes accedet. Quod si ita est, videndum profecto ne vos diutius morer: simul confedit, absque suggesto aut cathedrâ, sed ex æquo cum cæteris,

atque

atque hujusmodi quædam apud eum confessum verba fecit; nam aiebat, qui hæc narrabat, se illa tum excepisse, ut potuit, licet cum apud se una cum illo amico suo qui eum introduxerat, ea recognosceret, fateretur ea longe inferiora iis quæ tum dicta essent, visa esse. Exemplum autem orationis quam exceperat, quod circa se habebat, proferebat. Illud ita scriptum erat.

Vos certe, filii, homines estis & mortales; nec conditionis vestræ tantum pœniteat, si naturæ vestræ fatis meminertis. Deus mundi conditor & vestrûm, animas vobis donavit mundi ipsius capaces, nec tamen eo ipso satiandas. itaque fidem vestram sibi seposuit, mundum sensui attribuit: neutra autem oracula clara esse voluit, sed involuta, ut vos exerceret, quandoquidem excellentiam rerum rependeret. Atque de rebus divinis optima de vobis spero: circa humana autem, metuo vobis, ne diuturnus error vos usu ceperit. Existimo enim hoc apud vos penitus credi, vos statu uti scientiarum florente & bono. Ego rursus moneo, vos ne eorum quæ habetis aut copiam aut utilitatem quasi ad magnum aliquod fastigium evecti, & votorum compotes, aut laboribus perfuncti accipiatis. Idque sic considerate.

Si in omnem illam scriptorum varietatem quâ scientiæ tument & luxuriantur, de eo quod afferunt interpelletis, & stricte & presse examinetis, ubique reperietis ejusdem rei repetitiones infinitas; verbis, ordine, exemplis, atque illustratione, diversas; rerum summa & pondere ac vera potestate prælibatas ac plane iteratas; ut in pompa paupertas sit, & in rebus jejunis fastidium. Atque si vobiscum familiariter loqui & joculari hac de re liceat, videtur doctrina vestra cœnæ illi hospitis Chalcidenfis similissima.

lima, qui cum interrogaretur unde tam varia venatio? respondit, illa omnia ex manfucto sue esse facta. Neque enim negabitis universam istam copiam, nil aliud esse quam portionem quandam philosophiæ Græcorum, eamque certe minime in saltu aut silvis naturæ nutritam, sed in scholis & cellis, tanquam animal domesticum saginatum. Quod si a Græcis iisque paucis abscedatis, quid tandem habent vel Romani, vel Arabes, vel nostri, quod non ab Aristotelis, Platonis, Hippocratis, Galeni, Euclidis, Ptolemæi inventis derivetur, aut in eadem recidat? Itaque videtis in sex fortasse hominum cerebellis & animalis, spes & fortunas vestras fitas esse. Neque vero idcirco Deus vobis animas rationales indidit, ut suas partes, (fidem scilicet vestram quæ divinis debetur) hominibus deferretis: neque sensûs informationem firmam & validam attribuit, ut paucorum hominum opera, sed ut suademum opera, cælum & terram, contemplaremini; laudes suas celebrantes, & hymnum authori vestro canentes, iis etiam viris, si placet, (nihil enim obstat) in chorum acceptis.

Quin etiam ista ipsa doctrina, usu vestra, origine Græca, quæ tanta pompa incedit, quota pars fuit illa sapientiæ Græcorum? Ea enim varia fuit; varietas autem ut veritati non acquiescit, ita nec errorem figit, sed ad veritatem est instar iridis ad solem, quæ omnium imaginum est maxime infirma, & quasi deperdita, sed tamen imago. Verum & hanc quoque varietatem nobis extinxit (Græcus & ipse) Aristoteles: credo, ut discipuli res gestas æquaret. Atque discipuli præconium (si recte meminimus) tale celebratur:

Fælix

*Felix terrarum prædo, non utile mundo
Editus exemplum, terras tot posse sub uno
Esse viro.*

An & magister, felix doctrinæ prædo? Acerbe illud, sed quæ sequuntur optimè. Nullo enim modo ille utilis rebus humanis, qui tot egregia ingenia, tot, inquam, libera capita in servitutem redegerit. Itaque, filii, de copia vestra audistis quam arcta, quam ad paucos redacta. Divitiæ enim vestræ sunt paucorum census. De utilitate jam attendite.

Atque tandem aditum ad mentes & sensus vestros, non dicam impetrabimus (vos enim benevoli) sed struemus aut machinabimur, res siquidem difficilis. Quo fomite, qua accensione lumen nobis innatum excitabimus, idque a præstigiis luminis adventitii & infusi liberabimus? Quo modo, inquam, nos vobis dabimus, ut vos vobis reddamus? Infinita præjudicia facta sunt, opiniones hauriæ, receptæ, sparsæ. Theologi multa è philosophia ista sua fecerunt, & speculativam quandam ab utraque doctrina coagmentatam condiderunt. Viri civiles, qui ad estimationis suæ fructum pertinere putant, ut docti habeantur, multa ubique ex eadem scriptis suis & orationibus inspergunt. Etiam voces, filii, & verba ex dictamine ejusdem philosophiæ, & secundum ejus præscripta & placita, apposite conficta sunt, adeo ut simul ac loqui didiceritis (felicem dicam an infelicem) hanc errorum *Cabalam* haurire & imbibere necesse fuerit. Neque hæc tantum consensu singulorum firmata, sed & institutis academiarum, collegiorum, ordinum, fere rerumpublicarum veluti sancita est.

Huic itaque jam subito renunciabitis? id ne fumus vobis authores? Atqui ego, filii, hoc non postulo, neque hujusmodi philosophiæ vestræ fructus moror, aut eos vobis interdico, neque in solitudinem aliquam vos abripiam. Utimini philosophia quam habetis, disputationes vestras ex ejus uberibus alite, sermones ornate, graviores apud vulgus hominum hoc ipso nomine estote. Neque enim philosophia vera ad hæc multum utilis vobis erit: non præsto est, nec in transitu capitur, nec ex prænotionibus intellectui blanditur, non ad vulgi captum (nisi per utilitatem & opera) descendit. Servate itaque & illam alteram, & prout commodum vobis erit, adhibete: atque aliter cum naturâ, aliter cum populo negotiamini. Nemo enim est qui plus multo quam alius quis intelligit, quin ad minus intelligentem, tanquam personatus sit, ut se exuat, alteri det. Verum illud vos familiariter pro more nostro moneo, *Habete Laidem dummodo a Laide non habeamini*. Judicium sustinete, aliis vos date, non deditis; & vos melioribus servate. Atque videmur minus quiddam vobis imponere, quod hæc quæ in manibus habetis, usu vobis & honore manebunt: ideoque æquiore animo passuri estis, eadem de veritate & utilitate in dubium vocari.

Verum etiam si vos optime animati essetis, ut quæcunque hæcenus didicistis aut credidistis, spretis opinionibus, ac etiam rationibus vestris privatis, vel hoc ipso loco deponituri sitis, modo de veritate vobis constaret; attamen hac quoque ex parte hæremus: neque habemus fere quo nos vertamus; ut fidem vobis rei tam inopinatæ & novæ faciamus. Certe disputationis lex penitus sublata est, cum de principiis nobis vobiscum non conveniat. Etiam spes
ejusdem

ejusdem præcisa est, quia de demonstrationibus quæ nunc in usu sunt, dubitatio injecta est, atque accusatio suscepta. Atque hoc animorum statu veritas ipsa vobis non tuto committitur. Itaque intellectus vester præparandus antequam docendus, animi sanandi antequam exercendi sunt, area denique purganda antequam inædificanda: atque ad hunc finem hoc tempore convenistis. Qua igitur industria aut commoditate hoc negotium discutiemus aut agemus? Non desperandum.

Inest profecto, filii, animæ humanæ utcunque occupatæ & obsessæ, aliqua pars intellectus pura & veritatis hospita: estque ad eam aliqua molli clivo orbita deducens. Agite, filii, vos & ego viros doctos, si quid in hoc genere sumus, exuamus; & faciamus nos tanquam aliquos è plebe; & omissis rebus ipsis, ex signis quibusdam externis conjecturas capiamus. Hæc enim saltem nobis cum hominibus communia sunt.

Doctrina vestra, ut dictum est, fluxit a Græcis. Qualis natio? Nil mihi rei cum convitio est, filii; itaque quæ de ea dicta sunt ab aliis, nec repetam, nec imitabor. Tantum dico eam nationem fuisse semper ingenio præproperam, more professoriam, quæ duo sapientiæ & veritati sunt inimicissima. Nec præterire fas est verba sacerdotis Ægyptii, præsertim ad virum è Græcia excellentem prolata, ab authore etiam nobili è Græcia relata. Is sacerdos certe verus vates fuit cum diceret, *Vos Græci semper pueri*. Annon bene divinatum est? verissime certe, Græcos pueros æternos esse: idque non tantum in historia & rerum memoria, sed multo magis in rerum contemplatione. Quid ni enim sit instar pueritiæ ea philosophia, quæ garrere & causari noverit, generare & pro-

creare non possit: disputationibus inepta, operibus inanis? Mementote ergo, (ut ait propheta) rupis ex qua excisi estis, & de natione cujus authoritatem sequimini, quod Græca sit, interdum cogitate.

Sequitur temporis nota, qua philosophia ista vestra nata est & prodiit. Ætas erat, filii, cum illa condita fuit, fabulis vicina, historiæ egena, peregrinationibus & notitia orbis parum informata aut illustrata, quæque nec antiquitatis venerationem, nec temporum recentium copiam habebat, sed utraque dignitate & prærogativa carebat. Etenim antiquis temporibus credere licet fuisse divinos viros qui altiora quam pro hominum communi conditione saperent. Nostram autem ætatem, fateri necesse est, præ illa de qua loquimur (ut taceam ingeniorum & meditationum fructus & labores) etiam duorum fere mille annorum eventis & experientia, & duarum tertiarum orbis notitia auctam esse. Itaque videte quam anguste habitaverint, vel potius conclusa fuerint illius ætatis ingenia, si rem vel per tempora, vel per regiones computetis. Neque enim mille annorum historiam, quæ digna historiæ nomine sit, habebant; sed fabulas & somnia. Regionum vero tractuumque mundi quotam partem noverant, cum omnes hyperboreos Scythas; omnes occidentales, Celtas, indistincte appellarent; nil in Africa ultra citimam Æthiopiæ partem, nil in Asia ultra Gangem, multo minus novi orbis provincias, ne per auditum sane aut fama nossent: imo & plurima climata & zonas, quibus populi infiniti spirant & degunt, tanquam inhabitabiles ab illis pronunciatae sint? quinetiam peregrinationes Democriti, Platonis, Pythagoræ, non longinquæ profecto,

fecto, sed potius suburbanæ, ut magnum aliquid celebrantur.

Atque experientia, filii, ut aqua, quo largior est, eo minus corrumpitur. Nostris autem temporibus (ut scitis) oceanus sinus laxavit, & novi orbes patuere, & veteris orbis extrema undique innotescunt, idque distincte ac proprie. Itaque ex ætatis & temporis natura, veluti ex nativitate & geniturâ philosophiæ vestræ, nil magni de ea Chaldæi prædixerint?

De hominibus videamus. Qua in re optimo fato hoc fit, (neque id artificio aliquo nostro cautum est, sed ipsa res hoc non solum patitur, verum etiam postulat) ut & illis honor servetur, & nos modestiam nostram tueri & retinere possimus, & tamen fidem liberare. Nos enim, filii, nec invidiæ nec jactantiæ nobis conscii sumus, nec de ingenii palma, nec de placitorum regno contendimus: longe alia nostra ratio est, & finis, hocque mox aperietur. Itaque antiquorum ingeniis, excellentiæ, facultati, nihil detrahimus, sed generi ipsi, viæ, instituto, auctoritati, placitis, necessario derogamus. Immensum enim est, quantum scientiarum progressum deprimant, atque opinionis copiæ inter maximas causas inopiæ reperitur.

Atque duo sunt viri, filii, quorum placita ex libris eorum propriis haurire licet. Plato & Aristoteles: utinam illud & reliquorum nonnullis contigisset. Sed Aristoteles, Othomannorum more, regnare se non potuisse existimavit, nisi fratres trucidasset. Idque ei non statim fane, sed postea ex voto nimis feliciter successit. De hiis itaque duobus pauca dicere instituimus. Xenophontem autem tertium non adjungimus, suavem scriptorem & virum excellentem. Verum cum illis qui philosophiam
tanquam

tanquam ingenii peregrinationem amœnam & jucundam, non tanquam provinciam laboriosam & sollicitam susceperunt, nobis non multum rei est.

Itaque hos duos viros, Platonem & Aristotelem, si quis inter maxima mortalium ingenia non numeret, aut minus perspicit, aut minus æquus est. Ingenia certe illorum capacia, acuta, sublimia. Sed tamen videndum primo, cujus generis philosophantium censerī possint. Invenio enim tria genera apud Græcos eorum qui philosophiæ cultores habiti sint. Primum erat Sophistarum, qui per plurimas civitates instituta professione, & per singulas mansitantes, adolescentes recepta mercede, sapientia imbuere professi sunt, quales fuere Gorgias, Protagoras, Hippias; quos Plato ubique exagitat, & fere in comœdiæ morem deridendos propinat. neque enim hii rhetores tantum erant, aut orationum conscriptores, sed universalem rerum notitiam sibi arrogabant. Secundum erat eorum qui majore fastu & opinione, locis certis & sedibus fixis, scholas aperiebant, atque placita & sectam condentes aut excipientes, auditores, sectatores, successores insuper habebant. ex quo genere erant Plato, Aristoteles, Zeno, Epicurus. nam Pythagoras etiam auditores traxit, & sectam constituit, sed traditionum potius quam disputationum plenam, & superstitioni quam philosophiæ propiorem. Tertium autem genus erant eorum, qui remoto strepitu & pompâ professoriâ, serio veritatis inquisitioni, & rerum contemplationi dediti, (& tanquam Endymion) solitarii, & quasi sopiti, sibi philosophabantur; aut adhibitis paucis, (quibus idem amor erat) in colloquiorum suavitatem destinata perficiebant: neque Galatæ more, cujus lusus in undis, disputationum procellis

fe

se oblectabant. atque tales fuere Empedocles, Heraclitus, Democritus, Anaxagoras, Parmenides. neque enim reperietis hos scholas aperuisse, sed tandem speculationes & inventa sua in scripta redegisse, & posteris transmississe.

Nunc autem videtis certe, filii, quæ res agatur. Ego enim duo prima genera (utcunque se invicem obnegent & proscindant) tamen natura rei ipsius, connexa esse statuo. Itaque non hæsitabo apud vos dicere, me locum Platoni & Aristoteli tribuere inter Sophistas: sed tanquam ordinis emendati & reformati. Eandem enim rem prorsus video. Aberat fortasse loci mutatio & circumscriptio, & mercedis indignitas, & inepta ostentatio: atque lucet in illis certe quiddam solennius & nobilius; sed aderant schola, auditor, secta. Itaque genus ipsum profecto cernitis. Jam vero de viris ipsis aliquid separatim dicamus, institutum servantes, ut missis rebus, ex signis conjiciamus.

Itaque ab Aristotele exorfi, memoriam vestram, filii, testamur, si in physicis ejus & metaphysicis, non sæpius dialecticæ quam naturæ voces audiatis. Quid enim solidi ab eo sperari possit qui mundum tanquam e categoriis effecerit? qui negotium materiæ & vacui, & raritatis & densitatis per distinctionem actus & potentiæ transfegerit? qui animæ genus non multo melius quam ex vocibus secundæ intentionis tribuerit? Verum hæc ad res ipsas penetrant. Itaque ab hujusmodi sermone abstinendum. Nam cum confutationem justam instituere immemor plane sit: ita & opiniones tanti hominis per satyræ perstringere superbum foret. Signa autem in illo non bona, quod ingenium incitatum & se proripiens, nec
alienæ

alienæ cogitationis nec propriæ fere patiens, quod quæstionum artifex, quod contradictionibus continuus, quod antiquitati infestus & insultans, quod quæsitæ obscuritas est; alia plurima, quæ omnia magisterium sapiunt, non inquisitionem veritatis.

Quod si quis ad hæc, censuram rem proclivem fortasse esse, illud interim constare, post Aristotelis opera edita, pleraque antiquorum veluti deserta exolevisse: apud tempora autem quæ sequuta sunt, nil melius inventum esse: magnum itaque virum Aristotelem, qui utrumque tempus ad se traxerit: atque verisimile esse philosophiam in eo ipso tanquam sedes fixas posuisse, ut nihil restet nisi ut conservetur & ornetur. Ego, filii, cogitationem hanc esse existimo hominis vel imperiti, vel partibus infecti, vel desidis. Est enim (ut dicit scriptura) desidia quædam, quæ sibi prudens videtur & septemplici rationum pondere gravior. Atque proculdubio (si verum omnino dicendum est) ista desidia hujus opinionis invenietur pars vel maxima; dum humanæ naturæ ingenua superbia vitiis propriis non solum ignoscens, verum etiam cultum quendam prophanum attribuens; laborum & inquirendi & experiendi fugam, pro ea quæ prudentiæ comes sit diffidentia, veneretur: neque ita multo post concordia singulorum judicium & auctoritatem universorum repræsentet & effingat.

Nos vero primo illud interrogamus. An ob illud vir magnus Aristoteles, quod utrumque tempus traxerit? Certe magnus: Itane? At non major quam impostorum maximus. Impostura enim, atque adeo principis imposturæ, Antichristi, hæc prærogativa singularis est. *Veni* (inquit veritas ipsa) *in nomine patris mei, nec recipitis*

me:

me: si quis venerit nomine suo, eum recipietis. Audistisne filii? sensu non proprio certe, sed pio & vero, qui in nomine paternitatis aut antiquitatis venerit, non receptum iri, qui autem priora prosternendo, destruendo, auctoritatem sibi usurpaverit, & in nomine proprio venerit, eum homines sequi. Atque si quis unquam in philosophia in nomine proprio venit, is est Aristoteles, per omnia sibi author, quique antiquitatem ita despexit, ut neminem ex antiquis vel nominare fere dignetur, nisi ad confutationem & opprobrium. Quin & disertis verbis dicere non erubescit (bene ominatus certe etiam in maledicto) verisimile esse majores nostros ex terrâ aliquâ aut limo procreatos fuisse, ut ex opinionibus & institutis eorum stupidis, & vere terreis conjicere licet.

Neque tamen illud verum est, antiquorum philosophorum opera, postquam Aristoteles de iis ex autoritate propria triumphasset, statim extincta fuisse. Videmus enim qualis fuerit opinio de prudentiâ Democriti post Cæsarium tempora,

*Cujus prudentia monstrat,
Magnos posse viros, & magna exempla daturos,
Vervecum in patria, crassoque sub aere nasci.*

Atque fatis constat sub tempora excultiora imperii Romani, plurimos antiquorum Græcorum libros incolumes mansisse. Neque enim tantum potuisset Aristoteles (licet voluntas ei non defuerit) ut ea deleret, nisi Attila & Genfericus & Gothi ei in hac re adjutores fuissent. Tum enim postquam doctrina humana naufragium perpeffa esset, tabula ista Aristotelicæ philosophiæ tanquam ma-

teriæ alicujus levioris & minus solidæ servata est, & extinctis æmulis recepta.

At quod de consensu homines sibi fingunt, id & infidum & infirmum est. An vos, filii, temporis partus habetis numeratos & descriptos in fastis, eos inquam qui perierunt, latuerunt, aut aliis orbis partibus innotuerunt? An & abortus qui nunquam in lucem editi sunt? Itaque definant homines angustias suas mundo & sæculis attribuere & imponere. Quid si de suffragiis ipsis litem moveamus, & negemus verum & legitimum consensum esse, cum homines addicti credunt, non persuasi judicant? Transierunt, filii, ab ignorantia in præjudicium: hæc demum est illa coitio potius quam consensus. Postremo, si de isto consensu non diffiteamur, sed eum ipsum ut suspectum rejiciamus, an nos inter morbum istum animorum grassantem & epidemicum sanitatis pœnitebit? Pessimum certe, filii, omnium augurium est de consensu in rebus intellectualibus, exceptis divinis, cum veritas descendit cœlitûs. Nihil enim multis placet, nisi aut imaginationem feriat, ut superstitio, aut notiones vulgares, ut doctrina sophistarum: tantumque consensus iste a vera & solida autoritate abest, ut etiam violentam præsumptionem inducat in contrarium. Optime enim Græcus ille, *Quid peccavi?* cum complauderent.

Quod si is esset vir qui putatur esse Aristoteles, tamen nullo modo vobis author sim, ut unius hominis cogitata & placita instar oraculi recipiatis. Quæ enim, filii, est ista voluntaria servitus? tantone auditoribus monachi illius ethnici deteriores estis? ut illi suum, *ipse dixit*, post septennium deponerent, vos illud post annos bis mille reti-

retineatis? Atque nec istum ipsum præclarum authorem habuissetis, si antiquitatis studium valuisset; & tamen eadem in illum lege & conditione uti veremini. Quin si me audietis, dictaturam istam non modo huic homini, sed & cuivis mortalium qui sunt, qui erunt in perpetuum negabitis; atque homines in recte inventis sequemini; ut videntes lucem, non in omnibus promiscue, ut cæci ducem. Neque certe vos virium pœniteat, si experiamini: neque enim Aristotele in singulis, licet forte in omnibus inferiores estis. atque quod caput rei est, una certe re illum longe superatis, exemplis videlicet, & experimentis & monitis temporis. Nam ut ille (quod narrant) librum confecerit, in quo ducentarum quinquaginta quinque civitatum leges & instituta collegerit; tamen non dubito quin unius reipublicæ Romanæ mores & exempla plus ad prudentiam & militarem & civilem contulerint, quam omnia illa. Similia etiam & in naturali philosophia e-venerunt. Itane vero animati estis, ut non tantum dotes vestras proprias, sed etiam temporis dona projiciatis? Itaque vindicate vos tandem, & vos rebus addite, neque accessio unius hominis estote.

De Platone vero ea nostra sententia est; illum, licet ad rempublicam non accessisset, sed a rebus civilibus administrandis quodammodo refugisset propter temporum perturbationes, tamen natura & inclinatione omnino ad res civiles propensum, vires eo præcipue intendisse; neque de philosophia naturali admodum sollicitum fuisse; nisi quatenus ad philosophi nomen & celebritatem tuendam; & ad majestatem quandam moralibus & civilibus doctrinis addendam & aspergendam sufficeret. Ex quo fit, ut quæ de natura scripsit, nil firmitudinis habeant.

Quinetiam naturam theologia, non minus quam Aristoteles dialectica infecit & corripit. Optima autem in eo signa (si cætera consensissent) quod & formarum cognitionem ambiret, & inductione per omnia, non tantum ad principia, sed etiam ad medias propositiones uteretur: licet & hæc ipsa duo vere divina, & ob quæ nomen divini non dico tulit sed meruit, corruperit & inutilia reddiderit, dum & formas abstractas prenfaret, & inductionis materiam tantum ex rebus obviis & vulgaribus desumeret: quod hujusmodi scilicet exempla (quia notiora) disputationibus potius convenirent. Itaque cum ei diligens naturalium rerum contemplatio & observatio deesset, quæ unica philosophiæ materia est, nil mirum si nec ingenium altum, nec modus inquisitionis felix magnopere profecerint. Verum nos ex signorum consideratione, nescio quo modo in res ipsas prolabimur: non enim facile separari possunt, neque ea ingrata vobis auditu fuisse arbitramur.

Quin etiam fortasse & illud insuper scire vultis quid de reliquis illis sentiamus, qui alienis, non propriis scriptis nobis noti sunt, Pythagora, Empedocle, Heraclito, Anaxagora, Democrito, Parmenide, aliis. Atque hac de re, filii, nil reticebimus, sed animi nostri sensum integrum & sincerum vobis aperiemus. Scitote itaque, nos summa cum diligentia & cura omnes vel tenuissimas auras circa horum virorum opiniones & placita captasse: ut quicquid de illis vel dum ab Aristotele confutantur, vel dum a Platone & Cicerone citantur, vel in Plutarchi fasciculo, vel in Laertii vitis, vel in Lucretii poemate, vel in aliquibus fragmentis, vel in quavis alia sparsa memoria & mentione, inveniri possit, evolverimus, neque cursum

cursum aut contemptum, sed cum fide & deliberatione examinaverimus. Atque dubium profecto non est, quin si opiniones eorum, quas nunc per internuncios quosdam minime fidos solummodo habemus, in propriis extarent operibus, ut eas ex ipsis fontibus haurire liceret, majorem firmitudinem habituræ fuissent; cum theoriarum vires in apta & se mutuo sustinente partium harmonia & quadam in orbem demonstratione consistant, ideoque per partes traditæ infirmæ sint.

Neque negamus nos reperire inter placita tam varia, haud pauca in contemplatione naturæ & causarum assignatione non indiligenter notata. Alios autem in aliis (ut fere fieri solet) constat feliciores fuisse. Quod si cum Aristotele conferantur, plane censemus fuisse ex iis nonnullos qui in multis Aristotele longe & acutius & altius in naturam penetraverint, quod fieri necesse fuit, cum experientiæ cultores magis religiosi fuerint, præsertim Democritus, qui ob naturæ peritiam etiam magus habitus est. Veruntamen nobis necesse est, si simpliciter & absque persona vobiscum agere stat decretum; nomina ista magna, brevi admodum sententia transmittere: esse nimirum hujusmodi philosophorum placita ac theorias, veluti diverfarum fabularum in theatro argumenta, in quandam veri similitudinem, alia elegantius, alia negligentius aut crassius conficta; atque habere quod fabularum proprium est, ut veris interdum narrationibus concinniora & commodiora videantur: & qualia quis libentius crederet. Sane cum isti famæ & opinioni tanquam scenæ minus servirent quam Aristoteles & Plato & reliqui e scholis, puriores fuere ab ostentatione & imposturâ, atque eo nomine saniores; cætera similes erant. Una enim quasi
navis

navis philosophiæ Græcorum videtur, atque errores diversi, causæ errandi communes.

Quinetiam nobis minime dubium est, si penes populum & civitates liberas res mansissent, fieri non potuisse ut humani ingenii peregrinationes popularibus auris velificantes, utcunque inter tam numerosa & varia theoriarum commenta se sistere aut continere potuissent. Quemadmodum enim in astronomicis, & iis quibus terram rotari placet, & eis qui per veterem constructionem tenerint, phænomenorum in cœlis patrocinia æqua sunt: quin & tabularum calculi utrisque respondent: eodem modo, ac multo etiam facilius est in naturali philosophia complures theorias excogitare inter se multum differentes, sed tamen singulas sibi constantes, & experientiam & præsertim instantias vulgares quæ in quæstionibus philosophicis (ut nunc fit) judicia exercere solent, in diversum trahentes & pro testibus citantes.

Neque enim defuerunt etiam nostra ætate, in nostris inquam frigidis præcordiis atque tempore quo res religionis ingenia consumferint, qui novas philosophiæ naturalis fabricas meditati sunt. Nam Tilesius ex Consentia scenam conscendit & novam fabulam egit, argumento profecto magis probabilem quam plausu celebrem. Et Gilbertus ex Anglia, cum naturam magnetis laboriosissime & magnâ inquisitionis firmitudine & constantia, necnon experimentorum magno comitatu & fere agmine perscrutatus esset, statim imminebat & ipse novæ philosophiæ condendæ, nec Xenophanis nomen in Xenomanem per ludibrium versum expavit, in cuius sententiam inclinabat. Quin & Fracastorius, licet sectam non condiderit

diderit, tamen libertate judicii honeste usus est; eadem ausus est Cardanus, sed levior.

Atque existimo, filii, vos ad istam quam ex nobis auditis, tam latam & generalem opinionum & authorum rejectionem obstupescere. Licet enim de nobis bene existimetis, tamen vereri videmini, ut invidiam hujusce rei nobiscum una sustinere possitis. Quin & ipsi (credo) mirerini & animi pendetis, quorsum res hæc evasura sit, & quam tandem conditionem vobis afferamus. Itaque diutius suspensos vos non tenebimus: atque simul & vos admiratione, & nos invidia, ut speramus, nisi admodum iniqua fuerit, exolvemus. Atque meministis profecto etiam ab initio nos tale quiddam significasse. Antiquis non certe auctoritatem & fidem (id enim perniciosum) sed honorem ac reverentiam intacta & imminuta fore; tametsi possemus pro jure nostro, neque eo ipso alio quam omnium, si quid apud eos non recte inventum aut positum sit, id reprehendere aut notare. Sed res ipsa hoc non postulat, fato quodam ut arbitramur ad invidiam & contradictionem extinguendam & depellendam meliore.

Audite itaque, filii, quæ jam dicemus. Nos si profiteamur nos meliora afferre quam antiqui, eandem quam antiqui viam ingressos, nulla verborum arte efficere possumus, quin inducatur quædam ingenii, vel excellentiæ vel facultatis comparatio sive contentio: non ea quidem illicita aut nova; sed impar ob viriumstrarum modum; quem eum esse satis sentimus, ut non solum antiquis, sed & vivis cedat. Cum autem (ut simpliciter apud vos loquamur) claudus in viâ (quod dici solet) curforem extra viam antevertat, commutata ratio est. Atque
de

de viâ (mementote) non de viribus quæstio oritur, nos-
 quæ indicis non iudicis partes sustinemus. Itaque aperte
 vale jussu omni fucō & artificio, fatemur nos in hac opi-
 nione esse, omnia omnium ætatum ingenia si in unum
 coierint eo quo nunc res geritur modo, hoc est, (ut clare
 loquamur) ex meditatione & argumentatione, in scien-
 tiis magnos processus facere non posse. Quin neque hic
 finis, sed addimus insuper, quanto quis ingenio plus va-
 let, eundem si naturæ lucem, id est, historiam & rerum
 particularium evidentiam intempestive deferat; tanto in
 obscuriores & magis perplexos phantasiarum recessus, &
 quasi specus se detrudere & involvere.

Annon forte animadvertistis, filii, quanta ingeniorum
 & acumina & robora apud philosophos scholasticos otio
 & meditationibus luxuriantes, & ob tenebras ipsas in
 quibus enutriti erant feroces, quales nobis telas aranea-
 rum pepererint, textura & subtilitate fili mirabiles, usus &
 commodi expertes. Etiam illud simul affirmamus; no-
 stram quam ad artes adducimus rationem, & inquisitio-
 nis formam talem esse, quæ hominum ingenia & facul-
 tates, ut hæreditates Spartanæ fere æquet. Nam quem-
 admodum ad hoc, ut linea recta aut circulus perfectus
 describatur, plurimum est in manus ac visus facultate, si
 per constantiam manus & oculorum iudicium tantum,
 res tentetur; sin per regulam admotam, aut circinum
 circumductum, non item; eadem ratione, & in contem-
 platione rerum, quæ mentis viribus solum incumbit,
 homo homini præstat vel maxime. In ea autem quam
 nos adhibemus, non multo major in hominum intellectu
 eminet inæqualitas, quam in sensu inesse solet. Quin &
 ab ingeniorum acumine & agilitate, (ut dictum est) dum
 fuo

fuo motu feruntur, periculum metuimus, atque in eo toti sumus, ut hominum ingeniis non plumas aut alas, sed plumbum & pondera addamus. Nullo enim modo videntur homines adhuc nosse, quam severa sit res veritatis & naturæ inquisitio; quamque parum hominum arbitrio relinquat. Neque tamen nos peregrinum quiddam, aut mysticum, aut Deum tragicum ad vos adducimus. nil enim aliud est nostra via, nisi literata experientia, atque ars sive ratio naturam sincere interpretandi, & via vera a sensu ad intellectum.

Verum annon videtis, filii, quid per hæc quæ diximus effectum sit? Primum antiquis suis honos manet. nam in iis quæ in ingenio & meditatione posita sunt, illi mirabiles viros se præstiterè; neque nobis sane eam viam ingressis longo intervallo eorum progressus æquare, ut arbitramur, vires suffecissent. Deinde, intelligitis profecto, minus quiddam esse hanc rejectionem authorum generalem; quam si alios rejecissemus, alios probassemus. Tum enim judicium quoddam exercuissemus; cum nunc tantummodo (ut dictum est) indicium faciamus. Postremo etiam perspicitis quid nobis prorsus relinquatur: sive nos aliquid fumere, sive aliis aliquid nobis tribuere libeat.

Non ingenii, non excellentiæ, non facultatis laus, sed fortuna quædam, ea magis vestra quam nostra, cum res sit potius usu fructuosa, quam inventionem admirabilis. nam uti vos fortasse miramini, quando hoc nobis in mentem venire potuerit: ita & nos vicissim miramur, quomodo idem aliis in mentem jam pridem non venerit: non ulli mortalium cordi aut curæ fuisse, ut intellectui humano auxilia & præsidia ad naturam contemplandam & experientiam digerendam compararet: sed omnia vel

traditionum caligini, vel argumentorum vertigini & turbini, vel casûs & experimentorum undis & ambagibus permixta esse, nec mediam quandam viam inter experientiam & dogmata aperiri potuisse? sed tamen mirari definimus, cum in multis rebus videre liceat, mentem humanam tam lævâ & male compositam esse, ut primo diffidat, & paulo post se contemnat: atque primo incredibile videatur, aliquid tale inveniri posse; postquam autem inventum sit, rursus incredibile videatur id homines tam diu fugere potuisse: sed ut quod res est proferamus; huic rei de qua nunc agimus impedimento fuit non tam rei obscuritas aut difficultas, quam superbia humana, cui natura ipsa magna ex parte eaque potiore fordescit: quæque homines eo dementiæ provehit, ut spiritus proprios, non spiritum naturæ consulant; ac si artes facerent, non invenirent.

Atque, filii, inter istam vestram tanquam per statuas antiquorum deambulationem, fieri potest ut aliquam partem porticûs notaveritis velo esse discretam. ea sunt penetralia antiquitatis ante doctrinam Græcorum. sed quid me vocatis ad ea tempora quorum & res & rerum vestigia aufugerunt? Annon antiquitas illa instar famæ est, quæ caput inter nubila condit & fabulas narrat, facta & infecta simul canens? Atque satis scio, si minus sincerâ fide agere vellem, non difficile foret hominibus persuadere, apud antiquos sapientes, diu ante Græcorum tempora, scientias & philosophiam majore virtute, licet majore etiam fortasse silentio floruisse: idque solennius mihi foret ea quæ jam afferuntur ad illa referre, ut novi homines solent, qui nobilitatem alicujus veteris profapia per genealogiarum rumores & conjecturas sibi affingunt.

Verum

Verum nobis stat sententia, rerum evidentia fretis, omnem imposturæ conditionem, quantumvis sit licet bella & commoda, recusare. Itaque iudicium nostrum de illis sæculis non interponimus; illud obiter dicimus, licet poetarum fabulæ versatilis materiæ sint, tamen nos non multum arcani aut mysterii huiusmodi narrationibus subesse haud cunctanter pronunciaßemus; si ab iis inventæ a quibus traditæ sunt; quod nos secus esse existimamus: pleræque enim traduntur tanquam prius creditæ & cognitæ, non tanquam novæ ac tunc primò oblatae: quæ res earum existimationem apud nos auxit, ac si essent reliquæ quædam sacræ temporum meliorum. Verum utcunque ea res se habet, non plus interesse putamus (ad id quod agitur) utrum quæ jam proponentur, aut illis fortasse majora, antiquis etiam innotuerint; quam hominibus curæ esse debeat, utrum novus orbis fuerit insula illa Atlantis, & veteri mundo cognita, an nunc primum reperta; rerum enim inventio a naturæ luce petenda, non a vetustatis tenebris repetenda est.

Jam vero, filii, etiam sponte, non fortasse interpellati, ab expectatione vestrâ de philosophia Chimistarum opinionem subjungemus. Etenim illa vestra philosophia, disputationibus potens, operibus invalida, artis chimicæ nonnullam existimationem apud quosdam peperit. Atque sane quod ad practicam Chimistarum attinet, fabulam illam in eam competere existimamus, de sene qui filiis suis aurum in vinea defossum (nec se satis scire quo loco) legaverit: unde illos protinus ad vineam fodiendam incubuisse: atque auri quidem nihil repertum, sed vindemiam ea cultura factam fuisse uberiolem: simili modo & chimicæ filii, dum aurum (sive vere sive secus) in na-

turæ arvo abditum & quasi defossū, laboriose eruere conantur : multa moliendo & tentando, magno proven-
tui hominibus & utilitati fuere, & compluribus inventis non contemnendis vitam & res humanas donavere.

Veruntamen speculativam eorum rem levem & minus sanam esse judicamus. Nam ut ille adolescentulus delicatus cum scalum in littore reperisset, navem ædificare concupivit : ita & hi arti suæ indulgentes ex paucis fornacis experimentis philosophiam condere aggressi sunt. Atque hoc genus theoriarum & sæpius & manifestius vanitatis coarguitur, quam illud alterum : quod certe magis sobrium & magis tectum est ; nam philosophia vulgaris omnia percurrens & nonnihil fere de singulis degustans, se apud maximam hominum partem optime tuetur. Qui autem ex paucis quibus ipse maxime insuevit reliqua comminiscitur : is & re ipsa errat magis, & apud alios levior est : atque ex hoc genere philosophiam chemicam esse censemus.

Certe illa opinionis fabrica quæ eorum philosophiæ basis est, esse nimirum quatuor rerum matrices sive elementa, in quibus semina rerum sive species fœtus suos absolvunt, atque producta eorum quadriformia esse, pro differentia scilicet cujusque elementi : adeo ut in cœlo, aere, aqua, terra nulla species inveniat quæ non habeat in tribus reliquis conjugatum aliquod & quasi parallelum (nam hominem etiam pantomimum effecerunt, ex omnibus conflatum, abusi elegantia vocabuli microcosmi) hoc, inquam, commentum neminem judicio sedatum post se traxerit : quin & existimamus huic phantasticæ rerum naturalium phalangi, peritum naturæ contemplatorem vix inter somnia sua locum daturum.

Verum

Verum illud non incommode accidit ad præcavendum, quod hæc philosophia (ut cœpimus dicere) erroris genere, veluti antistropha vulgari Philosophiæ sit: vulgaris enim philosophia ad materiam inventionis parum ex multis, hæc multum è paucis decerpit. Nos tamen, filii, libenter Paracelsum hominem, ut conjicere licet, satis vocalem nobis præconem exoptemus, ut illud lumen naturæ quod toties inculcat, celebret, & proclamet.

Atque mentio Chimistarum nos admonet, ut aliquid etiam de magia naturali ea quæ nunc hoc vocabulum solenne & fere sacrum inquinavit, dicamus: ea enim inter philosophos chimicos in honore esse consuevit. Quæ nobis in hujusmodi sermone inferior videtur, quam ut condemnetur: sed levitate ipsa effugiat. Quid enim illa ad nos, cujus dogmata plane phantasia & superstitio: opera præstigiæ & impostura? nam inter innumera falsa, si quid ad effectum perducitur, hujusmodi semper est, ut sit ad novitatem & admirationem conficta, non ad usum aut accommodata aut destinata. Etenim evenit fere semper de magicis experimentis, quod poeta lascivus ludit, *Pars minima est ipsa puella sui*; quemadmodum autem philosophiæ proprium est efficere, ut omnia minus quam sint admiranda videantur propter demonstrationes; ita & imposturæ non minus proprium est ut omnia magis quam sunt admiranda videantur propter ostentationem & falsum apparatus. Atque ista tamen vanitas nescio quo modo contemnitur & recipitur; unde enim satyrion ad venerem, pulmones vulpis ad phthisim, nisi ex hac officina? verum nimis multa de nugis; nimis fane, si, ut ineptæ, ita innoxie essent.

Resumamus orationis filum, & philosophiam quam
in

in manibus habemus ex signis excutiamus; ista enim, filii, inferi oportuit ad intellectus vestri præparationem, quæ res sola nunc agitur. Duplex enim est animorum præoccupatio seu mala inclinatio ad nova, quando ea proponi contigerit: una ab infita opinione de placitis receptis, altera ab anticipatione sive præfiguratione erronea de re ipsa quæ affertur, ac si pertineret ad aliqua ex jampridem damnatis & rejectis, aut saltem ad ea quæ animus ob levitatem aut absurditatem fastidit.

Itaque jam reversi de signis dispiciamus. Atque, filii, inter signa nullum est magis certum aut nobile quam ex fructibus. Quemadmodum enim in religione cavetur, ut fides ex operibus monstretur, idem etiam ad philosophiam optime traducitur, ut vana sit quæ sterilis. Atque eo magis, si loco fructuum uvæ vel olivæ, producat disputationum & contentionum carduos & spinas; de vestra autem philosophia vereor ne nimis vere cecinerit poeta non solum illo carmine;

Infelix lolium & steriles dominantur avenæ:

Sed & illo;

Candida succinctam latrantibus inguina monstris.

Videtur enim illa ex longinquo visa virgo, specie non indecora, sed partibus superioribus: habet enim generalia quædam non ingrata, & tanquam invitantia; cum vero ad particularia ventum sit, veluti ad uterum & partes generationis, atque ad id ut aliquid ex se edat, tum demum loco operum & actionum quæ contemplationis proles est digna & legitima, monstra illa invenias resonantia, & oblatrantia & ingeniorum naufragiis famosa.

Atque

Atque hujus mali author imprimis Aristoteles, altrix ista vestra philosophia. Illi enim vel ludo vel gloriæ erat quæstiones minus utiles, primo subornare, deinde confodere; ut pro assertore veritatis contradictionum artifex sit. Pessimo enim & exemplo & successu scientia traditur per quæstiones subministratas, earumque solutiones. Qui enim bene affirmat & probat, & constituit & componit; is errores & objectiones longe summovet & veluti eminus impedit & abigit; qui autem cum singulis colluctatur, is exitum rei nullum invenit sed disputationes serit. Quid enim opus sit ei qui unum luminis & veritatis corpus clarum & radiosum in medio statuit parva quædam & pallida confutationum ellychnia ad omnes errorum angulos circumferre: solventi alia dubia, alia per ipsam illam solutionem excitanti ac veluti generanti? verum id curæ, ut videtur, præcipue fuit Aristoteli, ut homines haberent parata in singulis quæ pronunciarent, quæ responderent, & per quæ se expedirent, potius, quam quid penitus crederent, aut liquido cogitarent, aut vere scirent. Philosophia autem vestra tam bene authorem refert, ut quæstiones, quas ille movit, illa figat & faciat æternas; ut quæri videatur, non ut veritas eruatur, sed ut disputatio alatur: adeo ut Nasicæ sententia illi Cætonis præponderet. Neque enim illud agitur ut temporis progressu sublatis dubiis, tanquam hostibus a tergo, ad ulteriores provincias penetretur; sed ut perpetuæ istæ quæstiones, tanquam Carthago, militiam istam disputandi exerçant.

Quod vero ad operum fructum & proventum attinet; existimo ex ista philosophia, per tot annorum spatia laborata & culta, ne unum quidem experimentum adduci posse,

posse, quod ad hominum statum levandum & locupletandum spectet, & philosophiæ speculationibus vere acceptum referri possit: adeo ut brutorum animalium instinctus plura inventa pepererint, quam doctorum hominum sermones. Sane Celsus ingenue & prudenter fatetur experimenta medicinæ primo inventa fuisse, ac postea homines circa ea philosophatos esse & causas explorasse & assignasse; non ordine inverso evenisse, ut ex philosophia & causarum cognitione ipsa experimenta deprompta essent; neque hic finis. Non male enim merita esset philosophia ista de practica, licet eam experimentis non auxisset; si tamen usum ejus castiorem & prudentiorem reddidisset; (quod fortasse facit) atque interim ejus incrementis & progressibus nihil obfuisse. Illud autem magis damnosum, & perniciosum, quod inventa non solum non edat, sed etiam opprimat & extinguat.

Nam affirmare licet, filii, verissime, Aristotelis de quatuor elementis commentum rem certe obviam & pinguem, quia hujusmodi corpora in maxima quantitate & mole cernuntur, cui tamen ille potius auctoritatem quam principium dedit; cum Empedoclis esset, a quo etiam melius erat positum, quod postea avide a Medicis arreptum, quatuor complexionum, quatuor humorum, quatuor primarum qualitatum conjugationes post se traxit: tanquam malignum & infaustum fidus infinitam, & medicinæ, & compluribus rebus mechanicis sterilitatem attulisse, dum homines per hujusmodi concinnitates & compendiosas ineptias sibi satisfieri patientes, nil amplius curant: & vivas & utiles rerum observationes prorsus omiserunt. Itaque si illud verum, *ex fructibus eorum*, videtis certe quo res redierit.

Agite vero, filii, & signa ex incrementis capiamus : certe, si ista doctrina plane instar plantæ a stirpibus suis revulsæ non esset, sed gremio & utero naturæ adhæreret, atque ab eadem aleretur ; id minime eventurum fuisset, quod per annos bis mille jam fieri videmus, ut scientiæ in eodem fere statu maneant & hæreant, neque augmentum aliquod memorabile sumserint. Poliuntur fortasse nonnunquam ab aliquo, & illustrantur & accommodantur (dum tamen interim ab infinitis lacerentur & deformantur & inquinantur) sed utcunque non dilatantur aut amplificantur. In artibus autem mechanicis contra evenire videmus ; quæ ut spiritu quodam repletæ vegetant & crescunt, primo rudes, deinde commodæ, post excultæ, sed perpetuo auctæ : philosophia autem & scientiæ intellectûs statuarum more adorantur & celebrantur, sed non moventur. quinetiam in primo nonnunquam authore maxime florent ; & deinceps declinant & exarescunt.

Neque vero mirum est ista discrimina inter mechanicam & philosophiam conspici, cum in illa singulorum ingenia misceantur, in hac corrumpantur & destruantur. Quod si quis existimet, scientiarum ut rerum ceterarum esse quendam statum, idque fere in tempus unius authoris incidere, qui beneficio temporis usus & suæ ætatis princeps, inspectis reliquis scriptoribus & judicatis, scientias ipsas absolvat & perficiat ; quod postquam factum sit, juniores rite palmas secundas petere ut hujusmodi authoris opera vel explicent vel digerant, vel pro sui sæculi ratione palato accommodent & vertant : næ ille majorem rebus humanis prudentiam & ordinem & felicitatem tribuit, quam experiri fas est, res enim casum recipit, nisi quod vanitas hominum etiam fortuita in deterius

detorquet. nam vere sic se res habet; postquam scientia aliqua multorum observatione & diligentia, dum alius alia apprehendit, per partes tentata serio & tractata sit, tum exoriri aliquem mente fidentem, lingua potentem, methodo celebrem, qui corpus unum ex singulis pro suo arbitrio efficiat & posteris tradat: plerisque corruptis & depravatis, & cum certissima omissione omnium quæ altiores & digniores contemplationes exhibere possint, ut opinionum immodicarum & extravagantium: & posterius rursus facilitate rei & compendio gaudentes, sibi gratulantur ac nil ulterius quærunt, sed ad illa ministeria servilia quæ diximus se convertunt. Verum vobis, filii, pro certo sit, quæ in natura fundata sunt, ut aquas perennes, perpetuo novas scaturigines & emanationes habere; quæ autem in opinione versantur, variari fortasse sed non augeri.

Habemus & aliud signum, si modo signi appellatio in hoc competit: cum potius testimonium sit, imo testimoniorum omnium validissimum, hoc est, propriam authorum. quorum fidei vos committitis confessionem & iudicium. Nam & illi ipsi qui dictaturam quandam in scientiis invaserunt, & tanta fiducia de rebus pronunciant: tamen per intervalla, cum ad se redeunt; ad querimonias demum de naturæ subtilitate, rerum obscuritate, humani ingenii infirmitate, & similia se convertunt: Neque propterea, filii, hæc modestiæ aut humilitati, virtutibus in rebus intellectualibus omnium felicissimis, deputetis: non tam faciles, aut boni fueritis: cum contra ista non confessio, sed professio sive prædicatio ex superbia, invidia, atque id genus affectibus ortum pro certo habeat; id enim prorsus volunt, quicquid in scientiis sibi

ipsis aut magistris suis incognitum aut intactum fuerit, id extra terminos possibiles poni & removeri: hæc est illa modestia atque humilitas.

Itaque pessimo fato res geritur. Nil enim in his rerum humanarum angustiis, aut ad præsens magis deploratum, aut in futurum magis ominosum est, quam quod homines ignorantiam etiam ignominiae (ut nunc fit) eximant, atque artis suae infirmitatem in naturæ calumniam vertant: & quicquid ars illa sua non attingit, id ex arte scitu aut factu impossibile supponant. neque sane damnari potest ars, cum ipsa judicet; ex hoc fonte haud paucas opiniones & placita in philosophia reperiatis, quæ nihil aliud quam quæsitam istam, & artificiosam, & in cognoscendo & in operando desperationem, ad artis decus & gloriam perditissimo hoc modo tuendum sapiant & foveant.

Hinc schola Academica quæ acatalepsian ex professio tenuit, & homines ad sempiternas tenebras damnavit. Hinc opinio, quod formæ sive veræ rerum differentiae inventu impossibiles sunt; ut homines in atriis naturæ perpetuo obambulent, nec intra palatium aditum sibi muniant. Hinc positiones illæ infirmissimæ, calorem solis & ignis toto genere differre, atque compositionem opus hominis, missionem opus solius naturæ esse: ne forte ars naturam, ut Vulcanus Minervam sollicitare aut expugnare tentet aut speret; & compluria hujusmodi, quæ tam ad confessionem tenuitatis propriæ, quam ad representationem industriæ alienæ pertinent.

Itaque neutiquam vobis, filii, pro amore & indulgentia nostra consulero, ut cum rebus non solum desperatis, sed & desperationi devotis fortunas vestras misceatis. Verum,

fili, tempus fugit, dum capti amore & rerum & vestrum circumvectamur, ac omnia movemus, & initiationem hanc vestram, instar Aprilis aut veris cujusdam ad congelationem omnem & obstinationem solvendam & aperiendam esse cupimus.

Restat signum certissimum de modis. Modi enim faciendi sunt, potentia, res ipsæ; & prout bene aut prave institutæ fuerint, ita res & effecta se habent. Itaque si modi hujus vestræ philosophiæ condendæ nec debiti sint nec probabiles: non videmus quam spem foveatis nisi credulam & levem. Atque certe, filii, si obeliscus aliquis magnitudine insignis ad triumphum fortasse aut hujusmodi magnificentiae decus transferendus esset, atque id homines nudis manibus tentarent; annon eos helleboro opus habere cogitaretis? quod si numerum operariorum augerent, atque hoc modo se valere posse confiderent, annon tanto magis? quod si etiam delectum adhiberent, & imbecilliores separarent, & robustis tantum & vigentibus uti vellent, & hinc demum se voti compotes fore præsumerent, aut ne hoc quidem contenti, etiam artem athleticam consulerent, ac omnes cum manibus & lacertis & nervis ex arte bene unctis & medicatis adesse juberent; annon prorsus eos dare operam ut cum ratione quadam & prudentia insanirent clamaretis? & tamen simili homines malefano impetu feruntur in intellectualibus, dum intellectum veluti nudum applicant, & ab ingeniorum vel multitudine vel excellentia magna sperant, vel etiam dialecticis quæ mentis quædam athletica censerī possit, ingeniorum nervos roborant: neque machinas adhibent per quas vires & singulorum intenduntur, & omnium coeant.

Atque

Atque ut menti debita auxilia non subministrant: ita nec naturam rerum debita observantia prosequuntur. Quid enim dicemus, an nihil aliud est philosophiam condere quam ex paucis vulgaribus & obviis experimentis de natura judicium facere; ac dein tota sæcula in meditationibus volutare? Atque, filii, nesciebam nos tam naturæ fuisse familiares, ut ex tam levi & perfunctoria salutatione ea nobis aut arcana sua patefacere aut beneficia impertire dignaretur. Certe nobis perinde facere videntur homines, ac si naturam ex longinqua & præalta turri despiciant & contemplantur; quæ imaginem ejus quandam seu nubem potius imagini similem ob oculos ponat: rerum autem differentias (in quibus res hominum & fortunæ sitæ sunt) ob earum minutias & distantiae intervallum confundat & abscondat. Et tamen laborant & nituntur, & intellectum tanquam oculos contrahunt, ejusdemque aciem meditatione figunt, agitatione acuunt, quinetiam artes argumentandi veluti specula artificiosa comparant, ut istiusmodi differentias & subtilitates naturæ mente comprehendere & vincere possint. Atque ridicula certe esset & præfracta sapientia & sedulitas, si quis ut perfectius & distinctius cerneret, vel turrim conscendat vel specula applicet, vel palpebras adducat, cum ei liceat, absque universa ista operosa & strenua machinatione & industria, fieri voti compos per rem facilem, & tamen ista omnia beneficio & usu longe superantem: hoc est, ut descendat & ad res propius accedat. Atque certe in intellectus usu similis nos exercet imprudentia.

Neque, filii, postulare debemus ut natura nobis obviam eat: sed satis habemus, si accedentibus nobis idque cultu debito se conspiciendam det. Quod si cui in mentem veniat

veniat opinari tale quippiam, etiam antiquos atque ipsum Aristotelem proculdubio a meditationum suarum principio magnam vim & copiam exemplorum five particularium paravisse, atque eandem viam, quam nos veluti novam indicamus & signamus, revera iniisse & confecisse, adeo ut actum agere videri possimus: certe, filii, hæc de illis cogitare non est integrum: formam enim & rationem suam inquirendi & ipsi profitentur & scripta eorum imaginem expressam præ se ferunt. Illi enim statim ab inductionibus nullius pretii ad conclusiones maxime generales tanquam disputationum polos advolabant, ad quarum constantem & immotam veritatem reliqua expediebant. Verum scientia constituta, tum demum si qua controversia de aliquo exemplo vel instantia mota esset, ut positis suis refragante: non id agebant ut positum illud emendaretur; sed posito salvo hujusmodi instantias quæ negotium faciebant, aut per distinctionem aliquam subtilem & sapientem in ordinem redigebant, aut per exceptionem plane (homines non mali) dimittebant. Quod si instantiæ aut particularis rei non contradictoriæ reconciliatio, sed obscuræ ratio quæreretur, eam ad speculationes suas quandoque ingeniose accommodabant: quandoque misere torquebant: quæ omnis industria & contentio res sine fundamento nobis videtur.

Itaque nolite commoveri, quod frequens alicubi inter nonnulla Aristotelis scripta inveniatur exemplorum & particularium mentio. noveritis enim, id fero & postquam decretum fuisset, factum fuisse: illi enim mos erat non liberam experientiam consulere, sed captivam ostentare; nec eam ad veritatis inquisitionem promiscuam & æquam, sed ad dictorum suorum fidem sollicitam & electam

electam adducere. Neque rursus tale aliquod vobiscum cogitate, eam quam nos tantopere desideramus differentiarum subtilitatem in distinctionibus philosophorum scholasticorum haberi, atque adeo elucescere: neque enim existimetis ab hac præpostera subtilitate primæ negligentiae & festinationi & temeritati subventum esse. Longe abest, filii, ut hoc fieri possit; quin, credite mihi, quod de fortuna dici solet, id de natura verissimum est, eam a fronte capillatam, ab occipitio calvam esse. Omnis enim ista sera subtilitas & diligentia, postquam verum tempus observationis præterierit, naturam prensare aut captare potest, sed nunquam apprehendere aut capere.

Equidem satis scio, idque vos non ita multo post experiemini: postquam veræ & nativæ rerum subtilitati, & differentiis in experientia signatis & expressis, & sensui subjectis, aut saltem per sensum in lucem extractis, paululum insuevistis; continuo subtilitatem illam alteram disputationum & verborum, quæ cogitationes vestras non sine magna admiratione occupavit & tenuit, quasi pro re ludicra & larva quadam & incantatione habituri sitis.

Quare missis istis philosophiis abstractis, vos & ego, filii, rebus ipsis nos adjungamus: neque ad sectæ condendæ gloriam animum adjiciamus; sed utilitatis & amplitudinis humanæ curam serio suscipiamus; atque, inter mentem & naturam connubium castum & legitimum (pronuba misericordia divina) firmemus; precati etiam Deum, cujus numine & nutu hæc fiunt, quique ut hominum & rerum, ita luminum & consolationum pater est, ut ex illo connubio, non phantasiæ monstra, sed stirps heroum, quæ monstra domet & extinguat, hoc est, inventa salutaria & utilia ad necessitates humanas (quantum fieri datur)

datur) debellandas & relevandas suscipiatur. Hoc epithalamii votum sit.

Certe, filii, facultates, artium & scientiarum omnium consensu, aut empiricæ aut rationales sunt. Has autem bene commistas & copulatas adhuc videre non licuit. Empirici enim, formicæ more, congerunt tantum & utuntur. Rationales autem, araneorum more, telas ex se faciunt. Apis ratio media est, quæ materiam ex floribus tam horti quam agri elicit, sed simul etiam eam propria facultate vertit & digerit. Neque ab simile veræ philosophiæ opificium est, quæ ex historia naturali & experimentis mechanicis præbitam materiam, non in memoria integram, sed in intellectu mutatam & subactam reponit. Itaque hujusmodi mellis cœlestia dona sperate: neque dicite cum pigro, *Leo est in via*: sed vincla quæ vos premunt excutite, & vos recipite.

Atque sane, post virtutem vestram propriam, nihil animos vobis magis addiderit, quam si industriam & felicitatem, & facinora ætatis nostræ cogitetis. Nos nostrum *plus ultra antiquorum non ultra* haud vane opposuimus: Nos iidem, contra antiquorum *non imitabile fulmen* esse; *imitabile fulmen* esse, minime dementes, sed sobrii, ex novarum machinarum experimento & demonstratione pronuntiamus. Quin, & cœlum ipsum imitabile fecimus. Cœli enim est, circumire terram: quod & nostræ navigationes pervicerunt. Turpe autem nobis sit, si globi materiati tractus, terrarum videlicet & marium, nostris temporibus in immensum aperti & illustrati sint: globi autem intellectualis fines, inter veterum inventa & angustias steterint.

Neque parvo inter se nexu devincta & conjugata sunt

ista duo, perlustratio regionum & scientiarum. Plurima enim per longinquas navigationes & peregrinationes in natura patuerunt, quæ novam sapientiæ & scientiæ humanæ lucem affundere possint, & antiquorum opiniones & conjecturas experimento regere. Eadem duo non ratione solum sed etiam vaticinio conjuncta videntur. Nam eó prophetæ oraculum haud obscure spectare videtur: ubi de novissimis temporibus loquutus, illud subjungit, *Multi pertransibunt, & multiplex erit scientia*: ac si orbis terrarum pertransitus five peragratio, & scientiarum augmenta five multiplicatio, eidem ætati & sæculo destinarentur.

Præsto etiam est imprimendi artificium veteribus incognitum, cujus beneficio singulorum inventa fulguris modo transcurrere possint, & subito communicari ad aliorum studia excitanda, & inventa miscenda. Quare utendum est ætatis nostræ prærogativa, neque committendum, ut, cum hæc tanta vobis adsint, vobis ipsi desitis. Nos autem, filii, ab animorum vestrorum præparatione auspicati, in reliquis vobis non deerimus. probe enim novimus tabellas mentis, a tabellis communibus differre. in iis non alia inscripseris nisi priora deleveris, in illis priora ægre deleveris, nisi nova inscripseris.

Itaque rem in longum non differemus: illud itidem vos monentes, ne tanta vobis de nostris inventis polliceamini, quin meliora a vobis ipsis speretis. Nos enim Alexandri fortunam nobis spondemus, (neque vanitatis nos arguatis antequam rei exitum audiat;) illius enim res gestæ recenti memoria ut portentum accipiebantur. Ita enim loquitur unus ex æmulis oratoribus: *Nos certe vitam humanam non degimus; sed in id nati sumus, ut*

U u u

posteri

posterius de nobis portenta prædicent. Sed postquam debuisset ita admiratio, atque homines rem attentius inspexissent, operæ pretium est animadvertere quale iudicium de eo faciat scriptor Romanus, *Nil aliud quàm bene ausus est vana contemnere.* Ita & nos simile quiddam a posteris audiemus; postquam emancipati, & sui jam facti, & proprias vires experti initia nostra magnis intervallis superaverint. In quo sane iudicio illud recte, nostra nil magni esse: illud non recte, si ausis tribuant quæ humilitati debentur: humilitati (inquam) & privationi cuiusdam istius humanæ superbiam, quæ universa perdidit, quæque volucres quasdam meditationes loco divinæ in rebus signaturæ consecravit. Hac enim ex parte revera nobis gratulamur, & eo nomine felices nos & bene de genere humano meritos esse existimamus, quod ostendimus quid vera & legitima spiritus humani humiliatio possit. Verum quid nobis ab hominibus debeatur, ipsi viderint; nos certe nos nostraque vobis debemus.

Omniis qui aderant digna magnitudine generis & nominis humani oratio visa est, & tamen libertati quam arrogantiam propior. Ita autem inter se colloquebantur: se instar eorum esse, qui ex locis opacis & umbrosis in lucem apertam subito exierint, cum minus videant quam prius; sed cum certa & læta spe facultatis melioris.

Tum ille qui hæc narrabat; tu vero quid ad ista dicis? inquit. Grata sunt (inquam) quæ narraisti. Atque (inquit) si sunt ut dicis grata, si tu forte de his rebus aliquid scripseris, locum invenias ubi hæc inseras, neque peregrinationis nostræ fructus perire patiaris. Æquum postulas, inquam, neque obliviscar.

*Mr. FRANCIS BACON of the Colours of Good
and Evil; to the Lord Mountjoye.*

I Send you the last part of the best book of *Aristotle* of *Stagira*, who (as your Lordship knoweth) goeth for the best author. But saving the civil respect which is due to a received estimation, the man being a *Grecian*, and of a hasty wit, having hardly a discerning patience, much less a teaching patience, hath so delivered the matter, as I am glad to do the part of a good house-hen, which without any strangeness will sit upon pheasants eggs. And yet perchance, some that shall compare my lines with *Aristotle's* lines, will muse by what art, or rather by what revelation I could draw these conceits out of that place. But I that should know best, do freely acknowledge, that I had my light from him; for where he gave me not matter to perfect, at the least he gave me occasion to invent. Wherein as I do him right, being my self a man that am as free from envying the dead in contemplation, as from envying the living in action or fortune: so yet nevertheless still I say, and I speak it more largely than before, that in perusing the writings of this person so much celebrated, whether it were the impediment of his wit, or that he did it upon glory and affectation to be subtile, as one that if he had seen

his own conceits clearly and perspicuously delivered, perhaps would have been out of love with them himself; or else upon policy, to keep himself close, as one that had been a challenger of all the world, and had raised infinite contradiction. To what cause soever it is to be ascribed, I do not find him to deliver and unwrap himself well of that he seemeth to conceive; nor to be a master of his own knowledge. Neither do I for my part also (though I have brought in a new manner of handling this argument to make it pleasant and lightsome) pretend so to have overcome the nature of the subject: but that the full understanding and use of it will be somewhat dark, and best pleasing the taste of such wits as are patient to stay the digesting and soluting unto themselves of that which is sharp and subtile. Which was the cause, joined with the love and honour which I bare to your Lordship, as the person I know to have many virtues, and an excellent order of them, which moved me to dedicate this writing to your Lordship, after the antient manner: choosing both a friend, and one to whom I conceived the argument was agreeable.

*A Letter of the Count de Gondomar to the Lord
BACON, on his Fall*.*

Ilustríffimo Señor,

TENGO por summa infelicidad aber recibido tantos beneficios y con tam buena boluntad de V. S. I^{ma}. en su tiempo prospero: y agora en el adberfo no baler yo para serbirle, como debo, y desseo satisfazer a mi reconocimiento, y obligacion. Y assi es peor mi fortuna, pues mi persona es aqui tan ynutil, que aun decir estoy yo mismo a V. S. I^{ma}, como lo e desseado; y besarle las manos personalmente, me e abstenido dello, por no deferbille; y cierto, que todo esto me da summo dolor. Y assi, me ha parecido, que ya que no puedo hazer lo que devo, hazer lo que puedo; y representar a V. S. I^{ma}. que si la intercession del Rey mi señor con su Magestad el Rey de la Gran Bretaña, juzgaré V. S. I^{ma}. que en sus cosas puede ser util; tengo por cierto que su Magestad Chatolica la interporna con mucho gusto: y yo el serbir a V. S. I^{ma}. para todo lo que dispusiere de mi, con cordial y constante boluntad. Guarde Dios a V. S. I^{ma}. muchos y felizes años como desseo. Londres, a 14. de Junio, 1621.

El Conde de Gondomar.

* In an abstract of letters and treatises of the Lord Bacon, both lost and extant, one letter is thus described:

No Date. Perspexi & agnosco; thanks for some good offices done for him in his troubles. To Gondomar.

POSTSCRIPT.

THIS *Authour*, who is not inferiour to the greatest of Antiquity, happens to have this in common with them, that a compleat edition of his works is never to be had without the help of Manuscripts.

As he thought himself born for the good and instruction of his own and future ages; he was working always upon a just and regular plan for the institution of a true philosophy. Of this he gave out single parts, either in print or manuscript, as he could get them finished, fearing they might run the hazard of never appearing at all, if for the sake of his own better fame, he should have stayed to publish them all together.

And of his works in the political and moral kind, he sent copies to his friends. These produced a multitude of others, which instead of the true ones came afterwards imperfect to the press, and have so continued down through all editions: the being once in print having put an end to all enquiry for what was genuine.

When the press began to swarm with such false copies, Dr. Rawley in 1657 was obliged to publish the Resuscitation from foul ones: so early was it that the fair transcripts, consigned to Archbishop Williams and Sir Humphrey May, were mislaid or lost, or out of his power. Nor was the fortune much better of the papers committed

committed to Sir W. Boswell, and by him to Gruter: who promised some political and moral pieces, and I think some others that have never yet appeared.

In this state of my Lord Bacon's works, it may be wished, and is not impossible, that many of the genuine copies are yet in being. Upon comparing they might easily be known, and would be worth any pains and searches to recover them. I say this with the more assurance, having lately met with a fair copy of the Discourse on Ireland, which corrects all others either manuscript or printed.

Some Originals, and part of Dr. Rawley's collections, coming into so good a hand as Mr. Stephens's, he waited long for others, of which he had received intelligence: but at last resolved to preserve this volume of remains, by printing it at his own expence.

And if the faithful use that has here been made of manuscripts, shall incline any persons to communicate others in this way to the publick: I cannot but offer them my service to be again an Editor: being persuaded, that much good learning has been lost by trusting to a few, or single copies; and that there is no security for any thing of this kind but from the press.

J. LOCKER.

F I N I S.

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